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Air Accessibility Standards for Disabled and Elderly Persons

A Report to the Honourable Lloyd Axworthy,
Minister of Transport
from Ed Batishny, Special Advisor

Canada

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**AIR ACCESSIBILITY STANDARDS
FOR
DISABLED AND ELDERLY PERSONS**

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Minister of Transport,
from Ed Ratushny, Special Advisor**

August 1984

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pour les personnes handicapées et âgées".

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Office of the
Minister of Transport

Cabinet du
ministre des Transports

Place de Ville
Ottawa
K1A 0N5

August, 1984

The Honourable Lloyd Axworthy, P.C., M.P.
Minister of Transport
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Mr. Axworthy:

I have the honour of presenting to you my report on standards of accessibility to air travel by disabled and elderly persons.

In accordance with my mandate, I have recommended appropriate standards with respect to flight accessibility by disabled and elderly persons. These standards have been developed with a view to their enactment as regulations both under the Aeronautics Act and the Canadian Human Rights Act. Consideration has been given, as well, to the coming into force of section 15 of the Canadian Charter of Rights and Freedoms on April 17, 1985.

It was clear from the outset that this mandate was broad and complex and that there were not likely to be ready solutions for many of the issues. At the core of those issues is the dignity protected by the fundamental human right of equality. However, in the context of air travel, there are additional considerations of safety, technology and economics.

I have, therefore, consulted with affected sectors such as air carriers, regulatory authorities, and representatives of elderly and disabled persons. In view of your intention to make this report public at the first opportunity, it has been written as a public report rather than as one addressed directly to you.

I wish to express my appreciation to all of the individuals and organizations who cooperated so conscientiously in responding to my invitation for submissions. In particular, I wish to acknowledge the cordial and generous response of Dorothy Richardson of the Canadian Human Rights Commission, Marion Fleming and Debra Prupas of the Canadian Transport Commission, Stuart Grant of the Air Transport

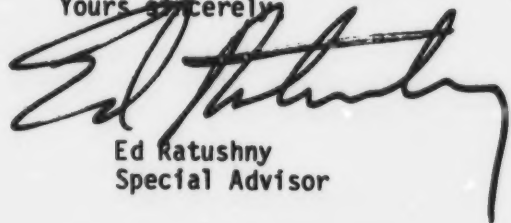
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Association of Canada, Robert Corkett, Senior Policy Advisor and Denis Lefebvre, Departmental General Counsel, Transport Canada. I also wish to acknowledge the special assistance of Janice Tait of Transport Canada, who had prepared a valuable preliminary paper on air accessibility standards.

Finally, I wish to express my appreciation to you, sir, for providing me with this opportunity to contribute towards your objective of "improving the mobility of thousands of Canadians so that they may participate in our society with greater freedom and equality".

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Ed Ratushny', with a long, sweeping horizontal stroke extending to the right.

Ed Ratushny
Special Advisor

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SUMMARY OF OBSERVATIONS, CONCLUSIONS AND RECOMMENDATIONS

CHAPTER ONE: BACKGROUND AND INTRODUCTION

A. Recent Developments

There has been a gradual improvement in the provision of goods and services to disabled consumers in our society in recent years. Nevertheless, there remain a great many unnecessary barriers that inhibit disabled persons from participating as fully as possible in our society. This situation was effectively demonstrated in the landmark report of the Special Parliamentary Committee on the Disabled and the Handicapped entitled Obstacles.

The Canadian Transport Commission held a public hearing or open meeting on the problems related to transportation of disabled persons in November 1979. A Summary of Proceedings was published which provides a short, general summary of the specific concerns of disabled air passengers.

The Policy on Transportation of Disabled Persons was prepared in consultation with many groups, including provincial governments, carriers and organizations representing disabled consumers. It was released publicly by the Honourable Lloyd Axworthy, Minister of Transport, in January 1984.

The Canadian Human Rights Act was extended to protect disabled persons from discrimination in the provision of goods, services, facilities and accommodation. On April 17, 1982, Canada received a new Charter of Rights and Freedoms containing an "equality rights" provision in section 15 which specifically prohibits discrimination on the basis of "mental or physical disability".

The important factors of safety, technology and economics, as well as basic dignity, must be considered in determining the extent to which disabled persons can be accommodated. In the end, the courts are likely to fall back on the general criterion of "reasonableness" in defining the boundaries of corresponding rights and obligations in this area.

That ultimate judicial task of defining "reasonableness" will not be easy. A great deal would be gained if some general consensus could be reached as to what constitutes "reasonable accommodation" in relation to each relevant stage or aspect of each mode of transportation, taking into account the needs of disabled consumers and the limitations on public carriers. Otherwise, human rights tribunals and the courts will have to define that phrase on an ad hoc basis as specific cases come before them, with the corresponding uncertainty, expense and delay of litigation.

Mr. Axworthy has adopted the policy of developing and encouraging the development of accessibility standards for all modes of public transportation. However, standards of accessibility are relevant not only to transportation but also to other areas such as communications, education and accommodation. Some of the observations and recommendations in this report may assist in considering the adoption of standards for such other areas.

B. The Disabled Consumer

Many definitions have been used to describe the "disabled person". The Policy on Transportation of Disabled Persons estimates that there are

approximately one million physically disabled persons who are transportation-handicapped to some extent. While such definitions may be necessary for certain purposes, human abilities occur as spectrums with a range of ability to perform. The presence of a "disability" may depend largely upon the context. Since facilities are often designed to accommodate the mythical average man almost any atypical traveller exceeds the tolerances of the equipment. Even where the physical disability is the same in two individuals, the response to the barrier may have to be different. In other words, it may not be productive to establish categories or to focus on the disability except to isolate the specific barriers and determine how best they can be overcome.

The concept of "reasonable accommodation" has been described as a pivotal concept in handicap anti-discrimination law because it serves as a realistic middle ground between doing nothing and doing everything to assist handicapped people. This simply means taking reasonable steps not to preclude persons with disabilities from participating as fully as possible in every aspect of our society. That goal has benefits not only for the disabled but for all of society.

It is now well-recognized that one of the greatest obstacles faced by persons with visible disabilities is the attitudes of others. "Invisible" disabilities may generate other problems because of general assumptions. While overt prejudice against disabled persons may not be common, lack of knowledge, experience and sensitivity by well-meaning individuals can also create prejudice and discrimination.

Recommendation: Accessibility standards should be developed and drafted with the objective of achieving greater integration wherever possible, as opposed to providing separate services.

Recommendation: When accessibility standards are developed and drafted, opportunities must be provided for appropriate consultation with individual consumers as well as their associations and professional associations which may speak on their behalf.

C. The Air Carriers

If economy could be ignored, it would be a simple matter to provide complete access so that every flight could accommodate almost every disabled passenger. The reality, of course, is different. Airplanes are expensive to design, construct, modify and operate. Air travellers must be accommodated within limited time and confined space.

Fundamental human rights cannot be calculated through cost-benefit analysis. In our society, the economic burden of providing accommodation is a "cost of doing business" that must ultimately be borne by all consumers of the product or service. Nevertheless, economic as well as safety considerations are appropriate in determining what accommodation is "reasonable" in all of the circumstances.

Recommendation: In developing and drafting accessibility standards, opportunities must be provided for appropriate consultation with individual air carriers as well as their associations.

When the anxiety of many air travellers is placed in the context of special time and space constraints, a great deal must be expected of airline personnel. Many of these employees have performed admirably.

However, further education and training would do much to reduce the difficulties faced by many disabled passengers.

Many air carriers in recent years have considerably improved their accommodation of passengers with disabilities. While these initiatives have demonstrated that the industry is willing to respond to special needs, problems remain. Although a number of complaints were received during our consultation, we were, frankly, surprised at the number of positive comments about air carrier performance.

D. The Regulators

The National Transportation Act sets out a basic national transportation policy for all modes in very general terms. The Aeronautics Act describes the duties of the Minister of Transport with respect to the development, supervision and control of aeronautics in Canada.

Under the second part of the Aeronautics Act, the Canadian Transport Commission is responsible for the economic regulation of commercial air carriers. The licensing of commercial carriers is done by the CTC's Air Transport Committee. The Committee defers to Transport Canada by ensuring that any ruling it makes on a service matter does not conflict with Transport Canada's safety requirements.

The Canadian Human Rights Commission has broad duties to conduct research and education programs and to use its persuasive powers to discourage and reduce discriminatory practices. A central role of the Commission is to enforce the provisions that prohibit discrimination, by processing specific complaints.

In recent years, some human rights decisions have been appealed to the Supreme Court of Canada for final determination. When the "equality

rights" provision of the Canadian Charter of Rights and Freedoms comes into force on April 17, 1985, there will be a significant number of direct court actions apart from the machinery established under human rights legislation.

E. The Consultative Process

In February 1984, a notice was sent to a number of groups and associations of disabled persons, professional associations, air carriers, provincial governments, suppliers and others, requesting written comments. Approximately one hundred submissions were received, some of these being detailed and comprehensive briefs. Preliminary meetings were held with the Air Transport Association of Canada, the Advisory Committee on the Transportation of the Handicapped, the Canadian Transport Commission and the Canadian Human Rights Commission.

It became apparent that there is a pattern of repeated concerns in relation to commercial air travel by persons with disabilities. However, perhaps most encouraging result of the consultative process was the desire to achieve reasonable and practical solutions.

CHAPTER TWO: NATURE AND SCOPE OF STANDARDS

A. The Existing Legal Framework

The individual tariffs filed by air carriers contain provisions for all passengers as well as specific provisions related to the carriage of disabled passengers. The latter are accepted by the CTC and, for scheduled operations of major carriers, formally consolidated as Rule 33 of the Local and Joint Passenger Rules. At present, Rule 33 applies to carriers providing approximately 85% of all passenger service flights in Canada. All Canadian airlines, nonetheless, must comply with Transport Canada's safety

procedures when dealing with disabled passengers. The existing practice does not offer an appropriate means to establish standards of accommodation for disabled persons.

Section 19.1(1) of the Canadian Human Rights Act provides that: The Governor in Council may, for the benefit of persons having any disability, make regulations prescribing standards of accessibility to services, facilities or premises. The section also provides that where a standard exists in relation to a matter and the standard is met, a complaint may not be made in relation to that matter. No standards have yet been enacted under this section. However, it seems to contemplate specific provisions for specialized areas of activity. These would state precisely what constitutes reasonable accommodation in various situations.

Another approach is embodied in section 15.1 of the Act. Under this section, a purveyor of goods and services can submit to the Canadian Human Rights Commission a plan to adapt any services, facilities, premises, operations, or equipment to meet the needs of disabled persons.

The nature of reasonable accommodation in transportation must be shaped by safety, technological and economic as well as human rights considerations. However, the Canadian Human Rights Act provides no formal mechanism for linking the Commission's role in relation to either accessibility standards or adaptation plans with the role of other specialized regulators.

The Minister may make regulations under Part I of the Aeronautics Act which could be essentially the same as the "accessibility standards" available under the Canadian Human Rights Act. However, the Canadian

Transport Commission has the authority to make regulations under Part II of the same Act. Generally speaking, the Minister has responsibility for safety-related matters, while the Commission is primarily concerned with economic regulation. The subject of "service" overlaps both spheres. Indeed, a potential regulation could embody safety, economic and service considerations.

Accessibility standards could be established: (a) as conditions of licenses through regulations passed by the Canadian Transport Commission under the Air Carrier Regulations pursuant to Part II of the Aeronautics Act; (b) as regulations made by the Governor in Council pursuant to section 19.1 of the Canadian Human Rights Act; or (c) as regulations made by the Minister of Transport, with the approval of the Governor in Council pursuant to Part I of the Aeronautics Act. Nevertheless, some standards could fall within the exclusive jurisdiction of only one or two of the three potential regulators.

B. The Need for Standards

In our context, "standards" represent the level of accommodation and service required of air carriers to meet some of the special needs of consumers with disabilities. This could include the conformity of equipment to certain requirements, the availability of special equipment, the establishment of certain "systems" or procedures for dealing with special situations and the provision of individual assistance not ordinarily provided.

Of course, air carriers have been providing service to disabled passengers for years. Informal practices and procedures have developed. Nevertheless, problems persist.

When the provisions of the Canadian Human Rights Act and the Canadian Charter of Rights and Freedoms come into full force, the adoption of accessibility standards would not significantly alter the legal obligations of carriers. Rather, it would attempt to define them. The basic objective would be to state as specifically as possible what constitutes "reasonable accommodation" of persons with various disabilities in as many situations as possible.

In reality, if such standards are not developed cooperatively and with foresight, they will be imposed ex post facto by human rights tribunals and courts adjudicating specific complaints and civil suits. There are obvious disadvantages to litigation as the mechanism for resolving these issues.

The courts could always reject such standards on the basis that they do not meet the requirements of section 15 of the Charter. However, the reverse is more likely to be true. The courts are apt to welcome precise accessibility standards because they would aid in defining the legal scope of section 15. This is particularly true where, as suggested earlier, the shape of "equality" must be fashioned in the context of safety, technology and economics.

Where three different bodies can create and enforce laws dealing with the same subject matter, there is an obvious need for cooperation and coordination. There is much to be said for the Minister responsible for a

particular subject area, such as transportation, to assume the leadership and responsibility for developing and recommending accessibility standards in that area.

Recommendation: (1) The Minister responsible for a particular subject area should assume responsibility for developing and recommending accessibility standards pursuant to section 19.1 of the Canadian Human Rights Act.

(2) The advice and agreement of the Canadian Human Rights Commission should be sought prior to making a recommendation to Cabinet.

(3) Where that Minister is reluctant to act, the Minister of Justice, on the advice of the Canadian Human Rights Commission, should assume such responsibility.

The ideal would be to adopt identical standards as regulations under Part I of the Aeronautics Act and as a condition of licenses under Part II of the Aeronautics Act. The adoption of identical regulations by all three authorities would eliminate uncertainty in terms of any suggestion, for example, that safety requirements could not be met because of human rights demands or that human rights requirements were incompatible with economic regulations. Another advantage of adopting identical accessibility standards in all three spheres would be the different enforcement mechanisms.

Recommendation: (1) Identical standards of accessibility for air carriers should be adopted: (a) as regulations under section 19.1 of the Canadian Human Rights Act; (b) as regulations under section 6, Part I, of the Aeronautics Act; and (c) as conditions of licenses pursuant to regulations under section 14, Part II, of the Aeronautics Act.

(2) The relevant authorizing legislation should be amended to ensure that identical accessibility standards can be adopted under all three spheres.

The adoption of accessibility standards, of course, will not solve all problems. If they can increase certainty and consistency in even a few important areas, they will be valuable. Accessibility standards cannot be specific in every respect. In some situations, a degree of flexibility may be desirable. The adoption of accessibility standards must not have the effect of creating rather than eliminating barriers.

Likewise, these standards must not be treated as maximum rather than minimum standards of conduct and accommodation. Legal regulations cannot replace human decency and common sense. Rather, they should provide a context within which those qualities may thrive.

C. A Continuing Process

Recommendation: (1) The Minister of Transport should designate a permanent coordinator for the development of air accessibility standards and appoint an air accessibility standards committee having representatives from: The Canadian Human Rights Commission; the Canadian Transport Commission; disabled consumers; air carriers, and Transport Canada.

(2) The coordinator, in consultation with the committee, should be responsible for ongoing development, monitoring and re-evaluation of air accessibility standards and for making recommendations to the Minister for changes to such standards whenever appropriate.

(3) Committee work should proceed in a completely open atmosphere, and it should take special initiatives to draw public attention to items of broad interest.

CHAPTER THREE: THE FUNDAMENTAL ISSUE OF SELF-DETERMINATION

A. Introduction

Perhaps the most fundamental issue concerning access by a disabled traveller is the right to make a personal assessment of one's self-reliance. Should the traveller decide whether he or she can manage without an attendant? Or should the air carrier be permitted to deny access completely unless the traveller is accompanied by such an attendant?

For most commercial flights, Rule 33 of the Local and Joint Passenger Rules applies. Implicitly, the carrier has the ultimate decision as to whether or not a disabled traveller is entitled to travel alone or whether an attendant is required.

Few difficulties are encountered since the disabled passenger's response is accepted. Nevertheless, the carrier is not bound to rely on the passenger's assessment and, occasionally, it refuses to do so. This could seriously compromise the dignity of the disabled passenger, which is protected by section 15 of the Canadian Charter of Rights and Freedom. Without reasonable legal standards to govern these situations, litigation under human rights legislation and section 15 of the Charter is inevitable.

B. Responsibilities and Rights

Air carriers must retain the ultimate authority to refuse carriage to any passenger who reasonably could be perceived to threaten safety. The mere presence of a physical or mental disability should not be sufficient to warrant refusal under this general authority. Obviously, a disabled passenger who is drunk or disorderly should be refused carriage. However, the presence of a disability should not warrant refusal unless it can be reasonably and specifically related to a potential safety hazard.

Recommendation: (1) A regulation should be adopted under the Aeronautics Act specifying the responsibility of air carriers to refuse to transport any passenger on the basis that the health or safety of that passenger or any others could be reasonably endangered thereby.

(2) The mere presence of a physical or mental disability should not be sufficient to warrant refusal under this general authority.

(3) Where transport is refused under this regulation, the air carrier should be required to specify in writing the basis for any refusal including the manner in which health or safety is perceived to be affected.

At first, the question of self-reliance during evacuation would appear to be relevant in assessing whether or not an attendant should be required. However, the issue of safety in evacuation has been addressed in another way. Transport Canada has adopted guidelines for the maximum number of non-ambulatory passengers that may be safely transported on any flight. In the time available, it was not possible to assess the validity of the actual numbers established by Transport Canada. They appear to have evolved

following intensive consultation with major carriers and to have achieved a considerable degree of acceptance.

This general approach of dealing with evacuation safety problems through the establishment of limits appears to be reasonable. However, the actual numbers, and the underlying assumptions, should remain under critical re-assessment and be open to revision in either direction by Transport Canada.

Recommendation: An accessibility standard to govern emergency evacuation safety should be adopted in the form of number limits on the accommodation of non-ambulatory passengers, similar to current Transport Canada guidelines. They should remain under critical re-assessment.

Should evacuation procedures be designed to minimize every possible danger, even by reducing dramatically the number of disabled passengers per flight? Many disabled persons commented on this broad issue, and there emerged a concept that might be described as the "dignity of risk".

Few would argue that the freedom of a disabled passenger to assume risk should extend to an undue increase in potential risk to airline employees or other passengers. There may be a tendency to exaggerate the problems in evacuating many disabled passengers simply because their disabilities are visible. However, additional factors must be considered. All of the circumstances have been carefully considered by Transport Canada in developing the number limits described earlier.

The flight crew and cabin flight attendants may be faced with real dilemmas in such situations. However, they will not be unique. Police

officers, firefighters, ships' crews, and others must also face them on occasion. Undue risk to personal safety is not demanded, although it is occasionally taken by these professionals and by others who simply find themselves at the scene of a real or potential tragedy.

Recommendation: Safety factors in relation to the evacuation of disabled passengers shall not form any part of the basis for air carriers to exercise their general responsibility of "refusal to transport".

Recommendation: An accessibility standard should be adopted prohibiting air carriers from requiring waivers of legal liability by disabled passengers.

If the issue of evacuation safety is addressed by control of numbers, the issue of self-reliance is reduced to a question of the level of service required. However, the central question concerning self-reliance is who should ultimately determine whether or not an attendant is required.

Recommendation: An accessibility standard should be adopted to require air carriers to accept the personal assessment of each disabled traveller as to whether he or she is self-reliant (i.e., does not require an extraordinary degree of care) or whether an attendant is required.

C. Accommodation of Attendants

The Air Transport Committee of the Canadian Transport Commission ruled that the practice of charging a separate fare for an attendant was unjustly discriminatory. However, the initial decision was set aside and the matter was referred back to the ATC for re-examination. The Committee has not yet rendered a decision.

Air Canada recently filed a provision to permit an attendant accompanying disabled passengers to travel at 50% of the applicable fare. More recent tariff filings indicate that Quebecair, CP Air, Nordair, Pacific Western and Eastern Provincial Airlines all now offer the same discount. The necessity of medical approval to qualify for the reduced fare is related to the potential for abuse.

In its decision, which found extra fares for attendants to be unjustly discriminatory, the Air Transport Committee expressed the need to establish a proper administrative framework to identify those disabled passengers who need an attendant. The Canadian Transport Commission decided to issue identification cards for this purpose. An application form is being developed in consultation with carriers, disabled persons and Transport Canada. The Commission hopes to have the application form and accompanying instruction guide available by Fall 1984, with the cards issued and recognized by early 1985. They could be used multi-modally.

Recommendation: (1) An accessibility standard should be adopted to require air carriers to recognize and comply with the conditions of the transportation identification cards issued by the Canadian Transport Commission to disabled travellers needing extraordinary care during flight.

(2) Such a card would permit an attendant, who is willing to assume full responsibility for the passenger during flight and is able to provide any necessary assistance, to accompany the passenger at a reduced fare.

The adoption of the multi-modal card would not preclude the continued recognition of specialized cards. However, they would not have the universality or the legal enforceability of the proposed multi-modal card.

Recommendation: The personal assessment of a traveller's self-reliance for any particular flight shall be accepted by the carrier, notwithstanding the traveller is the holder of a disabled traveller's transportation identification card.

CHAPTER FOUR: OTHER BROAD ISSUES

A. General Prohibition

Recommendation: (1) An accessibility standard should be adopted to provide that air carriers shall not unduly discriminate against any passenger because of mental or physical disability, but that reasonable steps shall be taken to accommodate the disability in the provision of goods and services.

(2) The standard should also provide that reasonable accommodation generally include assistance in boarding and debarking, and minor assistance not ordinarily provided to other passengers.

Recommendation: (1) An accessibility standard should be adopted to provide that retrofitting of existing aircraft need not be undertaken with the sole purpose of enhancing accessibility except where modified physical features are specifically required by these standards.

(2) Where such specific standards exist, the necessary modifications must be completed within one year after these regulations come into force.

(3) Where no such specific standards exist, all reasonable modifications that would enhance accessibility shall be undertaken during ordinary re-fitting.

B. Applicability

Ideally, accessibility standards would cover all aircraft but would permit any air carrier to apply for specific exemptions. These would be granted for specific aircraft or flights, based on reasonable grounds. However, at this initial stage in the development of accessibility standards, such an approach could generate considerable problems and confusion. Complex analysis and detailed consultation would be required, and the ensuing delay could jeopardize the adoption of any accessibility standards at all.

The first step, then, would be to define a category of aircraft to which the standards would apply comprehensively. Once they have been adopted, their extension to other categories (in whole or in part) could be assessed with a view to moving toward the ideal described above.

Recommendation: (1) Accessibility standards should apply to all domestic scheduled and charter air services conducted in airplanes with sixty or more passenger seats.

(2) The Air Accessibility Standards Committee should consider, as a first priority, the extension of the accessibility standards, in whole or in part, to other categories of aircraft.

(3) The Committee should also develop recommended practices and guidance material to assist smaller aircraft operators in complying with the general prohibition against discrimination.

It should be made clear that even though accessibility standards may not apply to certain kinds of aircraft, the carriers must still fulfill their legal obligation of reasonable accommodation. The precise nature of

that obligation, however, will remain undefined until it is decided through litigation. For example, while the small northern airline seldom receives a request to transport a person in a wheelchair, nevertheless, when such a request is received, reasonable steps are taken to accommodate it. Such a response will continue to be expected for aircraft not yet subject to accessibility standards.

C. International Carriage

Complex legal issues arise in relation to the regulation of Canadian carriers engaged in international carriage and foreign carriers operating in Canada.

Recommendation: (1) Canada's air accessibility standards should apply both to Canadian carriers operating in other countries and to foreign carriers operating in Canada, to the extent compatible both with Canada's international obligations and applicable foreign laws.

(2) Such obligations should be reviewed with a view to possible modification that could broaden the applicability of such standards.

Recommendation: Canada should take initiatives toward establishing an international convention on accessibility standards for the transportation of disabled passengers by commercial air carriers.

D. Employee Education and Training

In spite of the progress of carriers in this area, concern about sensitivity and training of carrier personnel was perhaps the most recurring theme amongst all of the submissions received. Insensitivity may also manifest itself in attempting to be overly helpful rather than respecting the independence that a disabled passenger possesses. There is a special need to be aware of "hidden disabilities". Problem-identification is an important skill that must be developed through training programs.

Recommendation: (1) An accessibility standard should be adopted requiring air carriers to develop a program of education and training for all personnel who deal with the travelling public, containing appropriate instruction about the reasonable accommodation of travellers with mental and physical disabilities.

(2) The program shall be submitted to the Minister within three months for approval.

(3) All personnel employed when the standard comes into force shall participate in the program within one year.

(4) All personnel employed afterward should participate in the program during the initial training provided to new employees, and not later than four months from when their employment begins.

E. Public Education

Corresponding to the need for better education and training for air carrier personnel is the need for greater knowledge and understanding by all travellers but particularly those with disabilities. In addition to

disabled travellers and air carriers, others such as travel agents and suppliers will wish to keep fully informed. There is need for a network to disseminate this information.

Recommendation: (1) The Minister of Transport should assume the responsibility for making information on the accessibility of air travel to persons with disabilities available to the public.

(2) Special initiatives should be undertaken for the publication and distribution of such information, and the Air Accessibility Standards Committee should have a formal advisory function in this area.

CHAPTER FIVE: SPECIFIC BARRIERS AND STANDARDS

A. Introduction

The issues addressed in this chapter are, generally, those raised repeatedly in the submissions as well as in earlier reports and proceedings. Some of the airlines already have solved certain specific problems, but considerable inconsistency remains. Cost is also a factor in complying with the standards recommended in this chapter. However, no attempt was made to quantify those costs other than to conclude that the air carriers and travelling public could be reasonably expected to absorb them.

Recommendation: The accessibility standards proposed in the sections which follow should also be adopted, to the extent possible, as regulations under both Part I and Part II of the Aeronautics Act and under section 19.1 of the Canadian Human Rights Act.

B. General Responsibility

In defining more precisely the degree of accommodation for air travellers with disabilities, it is also important to delineate exactly where the responsibility for providing such accommodation lies. In practice, the responsibilities of the airport operator and the air carriers overlap considerably.

Recommendation: (1) Except as stated elsewhere in these regulations, the responsibility of air carriers to provide reasonable accommodation for travellers with disabilities shall commence when the passenger is to be met or first appears at the ticket or "check-in" counter and continue until normal baggage retrieval at the destination.

(2) The airport operator shall assume responsibility for providing all reasonable accommodation of disabled passengers in relation to air terminal facilities.

If the provision of reasonable accommodation for disabled passengers occasionally diminishes the capacity of airline personnel to provide the fullest service to all passengers, then that must be accepted as a normal part of air travel (together with occasional air turbulence or the confluence of other circumstances which also may compromise full service.)

Recommendation: (1) Air carrier personnel shall provide special assistance of a minor nature but are not required to provide extraordinary care.

(2) In particular, air carrier personnel are not required to provide: (a) assistance in actual eating; (b) assistance within a washroom; (c) nursing or medical care except in an unforeseen emergency.

(3) In particular, air carrier personnel shall provide:

- (a) assistance in preparation for eating, such as opening packages, identifying food and cutting meat;
- (b) assistance in moving to and from washrooms;
- (c) assistance in loading and retrieving baggage;
- (d) supervision for developmentally handicapped travellers under the same conditions and to the same extent as for children;
- (e) special meals on 24-hour notice;
- (f) refrigeration of medication.

Recommendation: Air carriers shall provide reasonable accommodation to passengers with non-routine disabilities, in accordance with Transport Canada safety regulations, on 48-hour notice.

C. Information, Reservations and Advance Notice

Recommendation: Air carriers shall provide persons having non-extraordinary communication disabilities with prompt access to important information, including services available, reservations, flight delays, schedule or gate changes, emergency procedures and, insofar as possible, information during emergencies.

In addition to telephone equipment which is designed for compatibility with hearing aids, special telephones with teletype capability are being used more widely, creating an entirely new communication network for voice-impaired, hearing-impaired and deaf persons. As each service provider joins the network, there is an increased advantage for additional consumers to join as well, thus creating a growing momentum for expansion.

Recommendation: A telephone-teletype capability shall be adopted by all carriers, either individually or in common with others, to provide information and reservations to voice-impaired, hearing-impaired or deaf persons.

The issue of appropriate education and training of carrier personnel is relevant to the interpersonal communication required during the air terminal and flight phases. In addition, there is a need to ensure that visually presented information is also communicated to the sight-impaired and that information presented orally is communicated to the hearing-impaired. Further analysis and experience will lead to more detailed standards in these areas.

Recommendation: Disabled passengers shall not have to give advance notice unless they require special services such as assistance in boarding and deboarding. In this case, 48 hours notice shall suffice. Where such notice has not been given, the carrier shall make reasonable efforts to provide accommodation.

When a traveller with special needs makes a reservation with a major airline, information on the nature of the disability and the special services required is entered into a computer. There apparently is no effective system for following through requests to accommodate special needs during the entire journey, which may involve a series of arrivals and departures.

Recommendation: Air carriers shall adopt a system of identifying, on the passenger ticket or a related document, any special needs of the passenger. Such information shall also be transmitted to the next destination.

Recommendation: (1) Air carriers shall designate those seats on all aircraft, including bulkhead seats and those with moveable armrests, which provide greater accessibility for disabled passengers, subject to Transport Canada safety requirements.

(2) Such seats shall be available for reservation on 48-hour notice to accommodate passengers with relevant disabilities or other special needs.

(3) Such seats shall not be assigned to other passengers until 48 hours prior to flight time.

(4) Such seats shall be available for this purpose at reduced fares, even though the section of the aircraft within which they are located has been designated for a higher standard of service (but below "first class") at a higher fare.

Various comments were received about seating. Eventually, these various considerations should be brought together as a detailed accessibility standard on seating. However, since the key factor is safety, Transport Canada should further study these specific seating questions in relation to its existing number limits and planning for the seating of non-ambulatory passengers. It is important to ensure that the kind of disability is actually relevant to seat allocation and to the particular allocation which follows. In fairness to all passengers, if a disability is not relevant to a particular seat allocation, then special consideration should not be provided.

Recommendation: Where an air carrier provides information and reservations concerning services at the destination, these shall include ground transportation services available to travellers with disabilities.

D. Boarding and Deboarding

Recommendation: Following pre-boarding, air carriers shall make available to passengers with disabilities an orientation as to safety features and other services available.

Other submissions covered other aspects of pre-boarding. A number of improvements are possible. However, these issues should be approached through administrative practices rather than a specific standard at this time.

Non-ambulatory passengers in air terminals without loading bridges may have to be carried up the aircraft steps. However, this is unsafe for the passenger and for carrier personnel. Normally, a mechanical lifting device, most commonly a "forklift", is used to elevate the passenger and the wheelchair to the aircraft door. Occasionally, a food catering truck may be used. However, we received submissions criticizing this method of boarding as undignified, uncomfortable and unsafe.

Recommendation: Transport Canada shall provide loading bridges or appropriate mechanical lifting devices to air carriers at all major and medium-size airports for boarding non-ambulatory passengers in a reasonably dignified, comfortable and safe manner.

Wheelchairs are highly personal. In the interest of safety as well as comfort, non-ambulatory passengers must be permitted to remain in their wheelchairs as long as possible. Although air carriers have recognized this problem and have adopted an appropriate procedure, the measures are not applied consistently. An arbitrary decision by a carrier employee can create considerable hardship for the passenger.

Recommendation: Passengers shall be permitted to remain in their wheelchairs to the aircraft seat, where space permits. Where space does not permit, they shall be entitled to remain in their own wheelchairs to the aircraft door before transferring to a narrower aisle wheelchair for seating. Wheelchairs shall then be stowed as the last baggage on board and retrieved as the first baggage off the aircraft, and be returned to the passenger promptly.

Recommendation: Carriers shall stow folding wheelchairs in the passenger compartment, where possible, in accordance with Transport Canada safety requirements.

Recommendation: (1) Air carriers shall accept electric wheelchairs as baggage on all aircraft and shall provide handling of their wet-cell batteries in accordance with Transport Canada regulations.

(2) When batteries have been removed, or other changes made to wheelchairs accepted for storage, the wheelchair will be returned to the passenger in its original, operational condition.

Recommendation: (1) Air carriers shall provide, promptly, a suitable, temporary replacement for wheelchairs or other mobility aids damaged or lost while in the carrier's possession.

(2) Air carriers shall provide a repair service, either individually or in common, for prompt repairs to wheelchairs or other mobility aids damaged while in their possession.

(3) Damage to wheelchairs or other mobility aids shall not be subject to the maximum liability applicable to other passenger baggage. If these aids are lost or damaged beyond repair, compensation shall be

sufficient to purchase a new chair (or other mobility aid) of the same make and type.

Recommendation: Passengers shall be permitted to retain canes, crutches and other small mobility aids except during take-off, landing or periods of turbulence, when they must be safely stowed.

Recommendation: Air carriers shall transport, without charge and without muzzling, a properly harnessed dog trained to lead the blind and/or assist the deaf when it accompanies a passenger into the cabin. The dog shall not be permitted to occupy a seat.

E. On-Board Facilities and Accommodation

Recommendation: All printed emergency procedure information available in the seat pocket for each passenger shall be available on request in braille, large print and on a tape recorder, together with tactile drawings or graphics of related diagrams.

The adoption of tactile signage should be an agenda item for the proposed Air Accessibility Standards Committee. Similarly, consideration should be given to steps taken to enhance the enjoyment of deaf passengers.

Recommendation: (1) An accessible washroom shall be provided on all new aircraft where available, and retrofitted on existing aircraft where feasible.

(2) Such accessibility shall include: (a) accommodation of wheelchairs; (b) assist rails or "grab" bars; (c) lever handles for taps and sink drains; (d) accessible door handles and locks; (e) elevated toilet seats.

Recommendation: (1) All new aircraft shall be fitted with moveable aisle armrests.

(2) Existing aircraft shall provide moveable armrests on at least five per cent of aisle seats.

Recommendation: Where an accessible washroom is available, an "on-board" wheelchair shall be provided to assist non-ambulatory passengers in moving to a washroom, where the flight time is more than two and one-half hours and 48 hours notice has been provided.

Additional problems should form agenda items for the proposed Air Accessibility Standards Committee. It would be useful to assess, generally, whether better accommodation could reasonably be provided in food and beverage services.

CHAPTER SIX: CONCLUSION

The recommendations and proposals in this report address major areas of concern, and do not provide detailed rules to govern every aspect of the reasonable accommodation of passengers with disabilities. A framework and a process have been suggested for continuing to define, develop and administer the concept of "reasonable accommodation" in a rational, consultative and cooperative manner.

The first challenge, then, is to have the principle of air accessibility standards recognized through their adoption as legally enforceable regulations. The second challenge will be to extend the

application of these standards, where reasonable, to other aircraft. The third challenge is to advance the concept of air accessibility standards on an international scale. If reasonable accommodation means the opportunity of all citizens to participate with greater freedom and equality, that is because fundamental human rights recognize no global boundary.



CHAPTER ONE

BACKGROUND AND INTRODUCTION

A. Recent Developments

1. The Obstacles Report

There has been a gradual improvement in the provision of goods and services to disabled consumers in our society in recent years. As one correspondent has observed:

Slowly but surely, we are heading in the right direction... Having depended upon a wheelchair for mobility since World War II, I can attest to the fact that much progress has been made, particularly during the past 15 years. (Appendix A)

Nevertheless, there remain a great many unnecessary barriers that inhibit disabled persons from participating as fully as possible in our society.

This situation was effectively demonstrated in the landmark report of the Special Parliamentary Committee on the Disabled and the Handicapped entitled Obstacles. This report, published in February, 1981, the International Year of Disabled Persons, identified key "obstacles" and outlined practical actions that would help to overcome them. A wide range of recommendations called for legislative, fiscal and administrative action by the Federal Government in almost every significant sphere of human activity. These included Employment, Housing, Transportation, Education, Sport, Recreation and others. The report also dealt with the importance of

the Prevention of Disabilities, Research and Development and the Changing of Attitudes.

In June 1982, the Special Committee, still chaired by David Smith, M.P., issued a Progress Report. There was reason for optimism:

During the past fifteen months, the Committee has ascertained that there has been considerable progress made within the Government of Canada to act upon all of the recommendations which have been made in previous OBSTACLES reports. The Members of the Committee have been gratified by the interest, dedication and responsibility which have been demonstrated by several departments, by the Ministers of these organizations and by their staff members.

Nevertheless, a number of "structural", bureaucratic obstacles were identified, together with "shortcomings" in the Government response over the preceding year.

The recommendations specifically related to the transportation of passengers by air carriers were, essentially:

- (1) That the Minister of Transport develop a National Policy on Transportation for Disabled Persons;
- (2) That passenger transport equipment purchased or retrofitted with Federal funds be required, as a condition of funding, to be reasonably accessible to disabled persons;
- (3) That air carriers be required to accept the disabled traveller's estimate of his/her self-reliance without medical clearance or waivers of disability;
- (4) That, where necessary, boarding assistance be provided by carriers;
- (5) That no additional fare be charged for a disabled traveller requiring an additional seat for an attendant or for other reasons arising from the disability;
- (6) That, where wheelchairs or batteries are lost or severely damaged, the

air carriers have replacements available on loan and that reimbursement also be provided at replacement cost;

- (7) That the air carriers develop a suitable means for carrying wet-cell batteries.

While these recommendations are of great importance, they are not comprehensive in relation to the difficulties encountered by disabled air travellers. Indeed, it would have been impossible for a report with the ambitious scope of Obstacles to deal with each sphere of activity in complete detail.

2. The Transportation Sphere

In February 1979, the Honourable Otto Lang, then Minister of Transport, created the Advisory Committee on Transportation of the Handicapped (ACTH). Membership consisted of representatives from the Federal Government and from various groups representing disabled persons. The Minister also asked the Canadian Transport Commission to hold a public hearing or open meeting on the problems related to transportation of disabled persons.

Such an open meeting was held in November 1979. Fifty-one briefs were received over the three days, and presentations were heard from numerous groups representing the disabled across Canada as well as from the federal and provincial human rights commissions, industry, unions and government officials. A Summary of Proceedings was published by the Canadian Transport Commission in March 1980. This provides a short, general summary of the specific concerns of disabled air passengers, including some

which were not addressed by the subsequent Obstacles report.

As one of its early tasks, the ACTH commenced work on the development of a comprehensive policy as recommended in the Obstacles report. The Policy on Transportation of Disabled Persons was prepared in consultation with many groups, including provincial governments, carriers and organizations representing disabled consumers. It was released publicly by the Honourable Lloyd Axworthy, Minister of Transport, in January 1984. In the statement accompanying this document, he said:

I fully recognize that this policy is stated in the form of general principles. Our success in this area will be judged ultimately not by general statements but by the reality of improving the mobility of thousands of Canadians so that they may participate in our society with greater freedom and equality. There are very real technological and managerial problems that must be resolved. The policy represents our commitment to dealing with these problems and provides a framework for moving forward.

Copies of the policy may be obtained (also in braille and on cassette) by writing directly to the Minister of Transport in Ottawa.

3. Legal Changes

The Obstacles report had also recommended that the Canadian Human Rights Act be extended to protect disabled persons from discrimination in the provision of goods, services, facilities and accommodation. On March 30, 1983, Parliament gave its assent to a bill to amend the Act in accordance with that recommendation.

On April 17, 1982, Canada received a new Charter of Rights and Freedoms containing an "equality rights" provision in section 15 which

specifically prohibits discrimination on the basis of "mental or physical disability". In recognition of the potentially massive implications of section 15, the Charter provides that this section will not come into force until April 17, 1985. This three-year delay was expected to permit governments and others to review their laws and practices with a view to modifying them to conform to the Charter.

The legal implications of these provisions will be discussed in greater detail in Chapter Two. However, these "anti-discrimination" provisions cannot be interpreted and applied in absolute terms.

This conclusion was expressed by one submission in the following way:

The hard, cold truth may come to be realized by all people, regardless of ability levels: all needs cannot be met. A standard will hopefully be developed to ensure accessibility and equality for as many people as is practically possible. I think we can accept that a person in a heart-lung life support system may not be able to roll up to a ticket counter and request "boarding assistance" unless some very special preparations are made. (Appendix B)

The important factors of safety, technology and economics, as well as basic dignity, must be considered in determining the extent to which disabled persons can be accommodated. In the end, the courts are likely to fall back on the general criterion of "reasonableness" in defining the boundaries of corresponding rights and obligations in this area.

4. The Development of Transportation Standards

That ultimate judicial task of defining "reasonableness" in the context of safety, technology, economics and human dignity will not be easy. Special consideration will have to be given to each mode of transportation. For example, a wheelchair may be secured on a train so that the passenger may safely remain in it, but no safe method has yet been found for doing this on airplanes.

A great deal would be gained if some general consensus could be reached as to what constitutes "reasonable accommodation" in relation to each relevant stage or aspect of each mode of transportation, taking into account the needs of disabled consumers and the limitations on public carriers. Otherwise, human rights tribunals and the courts will have to define that phrase on an ad hoc basis as specific cases come before them, with the corresponding uncertainty, expense and delay of litigation.

The importance of moving from general principles to specific issues has been recognized by representatives of disabled consumers. The Coalition of Provincial Organizations of the Handicapped (COPOH), in particular, stressed to the Minister of Transport that following the adoption of the general Policy there was a need to examine more closely the specific problems within each mode. This would necessarily require the development of greater expertise by disabled consumers involved in the process. It would also require more detailed consultation and coordination amongst those affected. These would include those with a wide range of disabilities, the professional associations, the carriers, unions of

employees, equipment suppliers, Transport Canada, the Canadian Transport Commission and the Canadian Human Rights Commission.

In January 1984, Mr. Axworthy announced the appointment of Patricia Falta, an architect and professor at the University of Montreal, to review accessibility standards at all Transport Canada Airports. She is also examining whether redesign work at the Lester B. Pearson International Airport could be accelerated and whether interim measures could be implemented to facilitate accessibility for disabled travellers.

At the same time, the Minister announced that Ed Ratushny, Professor at the Ottawa Law School and Director of the Human Rights Research and Education Centre, would hold consultations and develop draft standards of accessibility for air carriers. The consultative process is described in Part E of this chapter.

Mr. Axworthy also initiated the development of accessibility standards within Transport Canada in relation to commuter rail and marine transportation and for "Roadcruiser" transportation in Newfoundland. Draft standards for these modes are to be completed by September 30, 1984, with a view to enactment as regulations by April 17, 1985.

The Canadian Transport Commission established a special committee to prepare and submit accessibility standards to its Railway Transport Committee for the preparation of regulations applicable to that mode. Since travel by motor coach presently falls within provincial jurisdiction,

Mr. Axworthy urged his provincial counterparts, at the last meeting of Ministers on December 5, 1983, to accelerate the development of accessibility standards for presentation at the next Council of Ministers Meeting in the Fall of 1984.

In sum, the Federal Government has adopted the policy of developing and encouraging the development of accessibility standards for all modes of public transportation.*

However, standards of accessibility are relevant not only to transportation but also to other areas such as communications, education and accommodation. Some of the observations and recommendations in this report may assist in considering the adoption of standards for such other areas. They may also be of interest in relation to other modes of transportation.

B. The Disabled Consumer

1. Disability

Many definitions have been used to describe the "disabled person". The Canadian Human Rights Act states that:

"disability" means any previous or existing mental or physical disability and includes disfigurement and previous or existing dependence on alcohol or a drug.

Rule 33 of the Local and Joint Passenger Rules, which is a commercial

* A list containing the names and addresses of "contact persons" in relation to the development of accessibility standards in each mode is attached as Appendix C.

consolidation of individual tariffs submitted by air carriers and accepted by the Canadian Transport Commission, states that:

Passengers shall be considered disabled when their physical, medical or mental condition requires individual attention on enplaning, deplaning, during flight, in an emergency evacuation or during ground handling which is normally not extended to other passengers.

The Policy on Transportation of Disabled Persons states that:

With reference to this policy, a disabled person is any person who has a physical, mental or medical condition, either permanent or temporary, that limits his/her ability to use public transportation services. This definition is broad enough to include, among others, the elderly, the obese, pregnant women and those people with injuries.

The policy estimates that there are approximately one million physically disabled persons who are transportation-handicapped to some extent. This figure does not include the mentally handicapped, rural disabled, temporarily disabled, homebound and people in institutions.

While such definitions may be necessary for certain purposes, they unfortunately tend to suggest that individuals are either "disabled" or "normal". However, as a recent American report perceptively observed:

Human abilities occur as spectrums; for each separate mental or physical function, there is a range of ability to perform, with some individuals performing superlatively, some minimally or not at all, and some at every level in between. Variations also occur in the devices and techniques for minimizing functional limitations and in

the life experiences, motivation and individual preferences for dealing with functional limitation...*

Obviously, not everyone can play hockey as well as Wayne Gretzky. Nevertheless, a broad spectrum of abilities can be accommodated within the game, and it can be extended with even minor accommodation. For example, smaller sticks with narrower shafts are now made for very young children, special equipment is now available for women such as the "jill" which corresponds to the male "jock". Special rules and the elimination of body contact are introduced for "old-timer" hockey. The introduction of a hollow puck, with contents that "rattle" when struck, permits blind persons to participate.

The presence of a "disability" may depend largely upon the context. For example, an elderly, over-weight woman with arthritis in her knees and hips may have no problems in functioning at her own pace, in her own home, and in her small town. She may also have little trouble when travelling by bus or train. However, she may experience considerable difficulty when transferring from one airplane to another.

The problem was described well in a recent Transport Canada publication:

In the transfer environment, barriers are compounded by moving crowds and pressure to meet schedules. Many people note that they might be able to overcome barriers if it were not for pressure to move quickly. In addition to the hazards of stationary physical barriers, there are those of acceleration and deceleration, crowd movement, time pressure, long walking distances, reading and hearing information, dialogues and waiting in lines. The attendant tension build-up that can and does arise in many instances is, of course, immeasurable and can also be critical mentally and/or physically...

* Accommodating the Spectrum of Individual Abilities, United States Commission on Civil Rights. Clearinghouse Publication 81. September, 1983.

Since transfer facilities are designed to accommodate the mythical average man almost any atypical traveller exceeds the tolerances of the equipment.*

There also may be special conditions related directly to air travel, such as "air sickness" or fear of flying.

Even where the physical disability is the same in two individuals, the response to the barrier may have to be different. For example, one person may have been born blind and, when young, learned to read in braille in a special school. Another may have become blind later in life and not learned to read braille, instead relying on audio cassettes for certain kinds of information. Moreover, a person with a recently-acquired disability may require some time to achieve the same degree of independence as another who has adapted to the same disability over time.

In other words, it may not be productive to establish categories or to focus on the disability except to isolate the specific barriers and determine how best they can be overcome. As one correspondent stated:

In conclusion, all members of our committee agree that the most important thing in dealing with handicapped passengers is to ask them what they need and not assume what their needs are. Disabilities vary and it can be both embarrassing and unnecessary to assume that all handicapped people are to be treated the same. (Appendix D)

* Travellers With Special Needs, prepared for the Transportation Development Centre, Transport Canada. July 1982.

2. Equality

Equality of treatment cannot be interpreted literally to mean that every traveller must be treated in the same way. Otherwise, disabled passengers would be denied some of the specialized accommodation they require. The concept of "reasonable accommodation" has been described as:

... a pivotal concept in handicap anti-discrimination law because it serves as a realistic middle ground between doing nothing and doing everything to assist handicapped people.*

This simply means taking reasonable steps not to preclude persons with disabilities from participating as fully as possible in every aspect of our society.

That goal has benefits not only for the disabled but for all of society:

I would draw your attention to the fact that institutional care and income support services are costing the Canadian public over 10 billion dollars and in my views the measure, which your Ministry is currently developing, can play a significant role in reducing the rapidly increasing burden of institutional care and income support costs by making community living and employment equally accessible to disabled Canadians and, thereby, reducing substantially the unnecessary burden of handicap in Canada. (Appendix E)

For many years, the limitations that have been placed on the disabled citizens of Canada have affected their vocational alternatives as well as their quality of life. (Appendix F)

Such vocational opportunities would permit many disabled Canadians to contribute to the overall welfare of society by working and paying taxes.

* Accommodating the Spectrum of Individual Abilities, loc. cit.

However, their availability depends largely on affordable and accessible transportation.

It is now well-recognized that one of the greatest obstacles faced by persons with visible disabilities is the attitudes of others. The Obstacles report expressed this problem through those directly affected by it:

The strangest thing about disabled people is that we usually think, feel and react like 'normal' people, yet people expect us to react different!/.

I would like parents to stop teaching children to pity people who are blind...Except for the fear that sighted people have in my presence, I would forget that I am blind.

"Invisible" disabilities may generate other problems because of general assumptions. For example, when an announcement is made, it may be assumed that everyone can hear. Some of the difficulties that the mentally disabled may encounter were related in the CTC Summary of Proceedings:

Often they had fears of things which would have appeared insignificant to the non-mentally handicapped - such things as fear of asking questions, fear of small spaces, of heights and of crowds. It was often impossible for such people to negotiate even the most accessible of terminals without some form of assistance.

While overt prejudice against disabled persons may not be common, lack of knowledge, experience and sensitivity by well-meaning individuals can also create prejudice and discrimination.

In attempting to remove barriers, we must not define "reasonable accommodation" so as to set up a separate category of "disabled consumers".

In a landmark constitutional decision, the United States Supreme Court declared that equality demanded integration rather than parallel services. It is not sufficient, then, to provide services or facilities which are "separate but equal" unless separation is the only reasonable method of providing them. Otherwise, attempts to accommodate disabled persons could help to create additional barriers to their full participation in society.

Recommendation: Accessibility standards should be developed and drafted with the objective of achieving greater integration wherever possible, as opposed to providing separate services.

Integration is a central feature of the dignity protected by equality rights. As one correspondent stated:

Being able to travel in a dignified manner is extremely important. Handicapped people do not wish to be a spectacle while travelling or be unnecessarily "handled" by airline personnel along the way.
(Appendix G)

Many letters and briefs related actual experiences which demonstrate that this is a very real concern.

For example, last year in Ottawa, an air carrier representative insisted on walking backwards down the steps leading from an airplane, in front of a blind person who was deboarding. On the tarmac, the representative did not allow the passenger's dog guide to guide him to the airport but insisted that he take her arm. At the baggage carousel, the passenger was told to stand in a certain spot "out of everyone's way".

When leaving Montreal some weeks later, the same traveller was told that the dog guide was not permitted on the plane. After he produced identification for the dog and a copy of the relevant rule, a supervisor was called. The supervisor allowed the dog to accompany the passenger but required that the person take a bulkhead seat. The passenger, however, said that he wanted to smoke en route. The supervisor purported to concede but, on boarding, the passenger found that he had been assigned a non-smoking seat. The passenger persisted, and finally the flight attendant changed his seat location.

One correspondent, who uses a wheelchair, said that the inconsistency of the "rules" and insistence on adherence to them can be so extreme as to be humorous:

"For example, the only way the ground crew would allow me on a plane...was if I was wrapped in a blanket and sat in an aisle seat. (The temperature was 90°F.) In Cleveland, a different ground crew, same airline, would not let me back on the plane unless I sat in the window seat and they took my blanket away! (Appendix H)

The same individual flew from Fredericton with another wheelchair-user to attend a meeting in Toronto:

From Fredericton to Toronto, we sat together in the front row seats. On the return flight we were told disabled passengers were not allowed to sit together, so at great inconvenience to all concerned, he was carried to a seat further back... (Appendix H)

3. Consultation

There is no such thing as a "disabled perspective" because disabilities vary in kind and degree. There are also differences of experience and opinion amongst individuals. There are voluntary associations and coalitions of disabled consumers, and a wide range of professional associations involved with various disabilities in different ways.

Perhaps this is obvious, but too often in creating regulations there is inadequate consultation with those most directly affected by them. Special efforts, therefore, must be made to ensure appropriate consultation with those affected by disabilities to ensure that specific barriers are identified and the best solutions adopted. Moreover, while groups and associations will often be best equipped to provide input, an avenue should always be available for individuals to express their views directly to those responsible for creating the regulations.

Recommendation: When accessibility standards are developed and drafted, opportunities must be provided for appropriate consultation with individual consumers as well as their associations and professional associations which may speak on their behalf.

C. The Air Carriers

1. Economics

If economy could be ignored, it would be a simple matter to provide complete access so that every flight could accommodate almost every disabled passenger. Airplanes could be designed and constructed with accommodation as the single goal. Sufficient staff could be provided, with extensive education and training to ensure readiness and capacity to deal with every conceivable situation.

The reality, of course, is different. Airplanes are expensive to design, construct, modify and operate. There is a wide range of routes and various kinds of aircraft are selected to serve them, based largely on economic considerations. Competition is intense, and it will increase because of recent measures taken by the Minister to reduce economic regulation.

It is generally more expensive to travel by air than by any other mode. The great advantage to passengers, for which they are prepared to pay higher fares, is the time and convenience gained. However, these benefits can be lost if schedules are not met, connections are not made, transfers are delayed or boarding and deboarding is slow.

Air travellers must be accommodated within limited time and confined space. This challenge is compounded by requirements of safety and the pressures to keep air fares low. Thus, "systems" must be adopted.

While they increase efficiency, they may also reduce the capacity to "individualize" treatment.

It is also expensive to adopt systems that comfortably accommodate maximum demand when the norm is far below that level. One air carrier representative provided an example of an evening flight from Miami to Toronto, on which some fifty passengers had requested wheelchairs on arrival. Since only two passenger agents had been assigned, the passengers were informed that it would take some time to provide the service for all of them. Since only eight of the fifty passengers in question remained to wait for the service, it was implicit that for some of them, the need may have been marginal or unnecessary.

Fundamental human rights cannot be calculated through cost-benefit analysis. In our society, the economic burden of providing accommodation is a "cost of doing business" that must ultimately be borne by all consumers of the product or service. Nevertheless, economic as well as safety considerations are appropriate in determining what accommodation is "reasonable" in all of the circumstances.

Hence there must also be appropriate consultation with air carriers to ensure that accessibility standards reflect the special difficulties faced in accommodating disabled travellers. Since commercial air carriers vary greatly in size and nature of operations, it is important that individual carriers, as well as larger associations, have a means to express their views directly to those responsible for creating the regulations.

Recommendation: In developing and drafting accessibility standards, opportunities must be provided for appropriate consultation with individual air carriers as well as their associations.

2. Personnel

When the anxiety of many air travellers is placed in the context of the special time and space constraints discussed above, a great deal must be expected of airline personnel. Moreover, all difficulties are expected to be met with unfailing poise and courtesy. Assisting a passenger to a washroom may be a simple matter in ordinary circumstances. However, it may be more difficult on a full flight with many more than the usual number of persons with special needs. It can be even more difficult during the peak cabin activity period of providing meal service.

Frequently, we think of flight attendants as the only persons having direct contact with disabled travellers. However, there are many others, including reservations personnel, counter agents, reception agents and baggage handlers. All of these may need to possess special knowledge and sensitivity.

Many of these employees have performed admirably. However, further education and training would do much to reduce the difficulties

faced by many disabled passengers. Of course, not only airline personnel may have insufficient knowledge, understanding and experience in relation to disabilities. Rather, such deficiencies reflect the shortcomings of a society that has developed over the decades without regard for the barriers of separation which it had created for many disabled persons.

3. Performance

Many air carriers in recent years have considerably improved their accommodation of passengers with disabilities. For example, Boeing 767 aircraft with wheelchair-accessible washrooms and moveable armrests on selected seats are now operational with Air Canada and Pacific Western Airlines. CP Air has ordered the smaller Boeing 737-300 aircraft but has specified the need for accessible washrooms. Moveable armrests are also being installed during cabin "retrofits" of DC-9 aircraft.

Air Canada has also introduced advanced seat selection for disabled travellers as part of its new reservation system. A telephone device for the deaf was also introduced to permit those with speech or hearing impairments to make reservations. In addition, special packaging was developed and adopted to carry wet-cell batteries for electric wheelchairs.

While these and other initiatives have demonstrated that the industry is willing to respond to special needs, problems remain. For

example, other carriers have not followed Air Canada's lead in carriage of wet-cell batteries. This inconsistency means that a traveller who arrives at an airport with a CP Air ticket will have to leave the wheelchair battery behind, but an Air Canada traveller can have the battery accompany the wheelchair for convenient use on arrival.

Although a number of complaints were received during our consultation, we were, frankly, surprised at the number of positive comments about air carrier performance. It may be human nature to tend more to criticize than to praise, especially when one of the specific objectives of consultation was to identify:

...the most significant barriers and problems experienced by the various disabled communities in travelling by air. (Specific examples based on actual experience would be particularly helpful).

Nevertheless, even where problems were described, positive efforts by the air carriers and their employees were recognized as well.

One visually-impaired traveller had flown overseas at least twice and made several cross-country and domestic flights each year for the past sixteen years. He concluded that:

By and large, Canadian air carriers are exemplary in their attitudes toward and service provided for blind and visually impaired passengers. (Appendix I)

Another grateful correspondent stated:

Being a disabled individual myself, I have always found all the air carriers and staff more than cooperative in trying to meet my personal needs to ensure a safe quality flight.

Although there are many things that could be done, I wish to thank the airlines for what they have done. (Appendix J)

Thus, in spite of the constraints of time, space, safety, stress and economics faced by air carriers and their personnel, there has been considerable achievement in providing better accommodation to passengers with disabilities.

D. The Regulators

1. Transport Canada

The National Transportation Act sets out a basic national transportation policy for all modes in very general terms. The Aeronautics Act describes the duties of the Minister of Transport with respect to the development, supervision and control of aeronautics in Canada. These relate to the general regulation of air navigation, including the licensing of pilots, the certification of aircraft, the carriage of goods, mail and passengers, the investigation of aircraft accidents and the prescribing of aerial routes. This part of the Act also deals with security as opposed to safety measures for the protection of passengers, crew and aircraft.

Transport Canada's Domestic Air Policy Branch is responsible for the development of policies relating to the economic regulation of the airline industry in Canada. Therefore, the introduction of accessibility standards, generally, would fall within its purview. However, the Licensing and Certification Branch has responsibility for ensuring that air carriers operate aircraft safely, including all matters related to the safety of passengers and crew. Coordination between these two organizations in Transport Canada, therefore, is essential to the development of such standards.

2. The Canadian Transport Commission

Under the second part of the Aeronautics Act, the Canadian Transport Commission is responsible for the economic regulation of commercial air carriers. The licensing of commercial carriers is done by the CTC's Air Transport Committee. Such carriers are also required to file "tariffs" with the Committee that specify all conditions of carriage, including rates, safety and service.

However, even though safety matters are included in the tariff, they fall within the jurisdiction of Transport Canada. Thus the review and examination of tariffs by the Air Transport Committee is limited to matters concerning rates and service. Where such matters overlap or conflict with safety issues, it is generally accepted that safety must prevail. As a result, the Committee defers to Transport Canada by ensuring that any ruling it makes on a service matter does not conflict with Transport Canada's safety requirements.

3. The Canadian Human Rights Commission

The Canadian Human Rights Act expresses the goal that:

"...every individual should have an equal opportunity with other individuals to make...the life that he or she is able and wishes to have...without being hindered in or prevented from doing so by discriminating practices based on...disability..."

The Act also establishes the Canadian Human Rights Commission as the body responsible for its administration.

The Commission has broad duties to conduct research and education programs and to use its persuasive powers to discourage and reduce discriminatory practices. A number of its specific duties and powers are discussed in greater detail in the next chapter.

A central role of the Commission is to enforce the provisions that prohibit discrimination, by processing specific complaints. Under Part III of the Act, complaints may be filed against persons who have engaged in a discriminatory practice. The Commission may then designate an investigator to research the complaint and report back. If the Commission is then satisfied that the complaint has been substantiated, it may appoint a conciliator who tries to bring about a settlement.

At any stage, the Commission may appoint an independent tribunal to conduct an inquiry into the complaint. A formal public hearing is then held with the participation of legal counsel and the taking of evidence under oath. At the conclusion of the inquiry, the tribunal renders a

decision on whether or not a discriminatory practice had occurred in contravention of the Act.

If a respondent has been found to have contravened the Act, the tribunal may make an order containing a variety of terms. For example, the respondent may be required to make available the services that were denied and to compensate the victim for expenses incurred as a result of the discriminatory practice, including compensation for any cost of obtaining alternative services. In addition, the tribunal may order the respondent to pay special compensation not exceeding \$5000 to a victim who has suffered in respect of feelings or self-respect as a result of the discriminatory practice.

4. The Courts

The decisions of tribunals may reach the courts through applications for judicial review. In recent years, some human rights decisions have been appealed to the Supreme Court of Canada for final determination.

When the "equality rights" provision of the Canadian Charter of Rights and Freedoms comes into force on April 17, 1985, there will be a significant number of direct court actions apart from the machinery

established under human rights legislation.* A person denied services because of a disability may be able to sue the service provider. The task will then lie with the courts to determine whether "equality" had been denied and, if so, the nature of the remedy that should be ordered.

E. The Consultative Process

In February 1984, shortly after Mr. Axworthy had announced this study, a notice was sent to a number of groups and associations of disabled persons, professional associations, air carriers, provincial governments, suppliers and others, requesting written comments prior to April 1. (Appendix K) However, logistical problems and delays in mailing made this deadline unrealistic, and briefs and letters continued to be received until well into May. Approximately one hundred submissions were received, some of these being detailed and comprehensive briefs. Preliminary meetings were held with the Air Transport Association of Canada, the Advisory Committee on the Transportation of the Handicapped, the Canadian Transport Commission and the Canadian Human Rights Commission. A first draft of this report was prepared and distributed for comment prior to final revision.

* The Canadian Bill of Rights also contains an "equality rights" provision. However, it has received so restrictive an interpretation as not to be productive as a means of redress in this area.

The response to this project has been most encouraging and many valuable observations and suggestions were received. It became apparent that there is a pattern of repeated concerns in relation to commercial air travel by persons with disabilities.

However, perhaps most encouraging result of the consultative process was the exceptional degree of objectivity, sensitivity and goodwill amongst all of those most directly concerned. This willingness to acknowledge and appreciate the difficulties of others, and the desire to achieve reasonable and practical solutions, leads to considerable optimism that substantial progress can be made in enhancing the accessibility of air travel to all Canadians.

CHAPTER TWO

NATURE AND SCOPE OF STANDARDS

A. The Existing Legal Framework

1. Part II of the Aeronautics Act

The Canadian Transport Commission essentially derives its authority in relation to the regulation of air carriers from Part II of the Aeronautics Act. As outlined earlier, the Commission, through its Air Transport Committee (ATC), has two general areas of jurisdiction relevant to the accessibility issue. The first involves the licensing of commercial operators. The second relates to the tariffs, which specify all conditions of carriage.

The individual tariffs filed by air carriers contain provisions for all passengers as well as specific provisions related to the carriage of disabled passengers. The latter are accepted by the CTC and, for scheduled operations of major carriers, formally consolidated as Rule 33 of the Local and Joint Passenger Rules, published by the Airline Tariff Publishing Company. (Appendix L)

Since carriers may also file tariffs directly with the ATC, Rule 33 does not include all carriers with tariffs specifically related to disabled passengers. In all cases, carriers are required to make their tariffs available for public perusal at their offices. The tariff rules constitute the conditions upon which each carrier transports or agrees to transport, and they are implicitly accepted by the passenger to the same extent as if they were included as conditions on the ticket.

In General, Rule 33:

...does not specify what in-flight or terminal services are available for disabled passengers. Rather it addresses itself to those conditions that must be met by disabled consumers as a prerequisite to their access to air transportation.*

It specifies the circumstances in which an attendant may be required to accompany a disabled person. It also limits the number of non-ambulatory persons with and without attendants who are permitted on each flight for various kinds of aircraft. Certain seating restrictions are also imposed, and there are provisions related to the acceptance of mobility aids and guide dogs for the blind and deaf.

Rule 33 specifies those scheduled Canadian air carriers to whom it applies. These include Air Canada, CP Air, Nordair, Great Lakes Airlines, Austin Airways and, in part, Pacific Western Airlines. Recently, the ATC asked the large charter operators to file similar tariffs, and there has been general compliance with that request. Most of the smaller charter and scheduled airlines are not covered. At present, Rule 33 applies to carriers providing approximately 85% of all passenger service flights in Canada.

All Canadian airlines, nonetheless, must comply with Transport Canada's safety procedures when dealing with disabled passengers. Both Transport Canada and the ATC informally encourage those carriers not covered by Rule 33 to adopt that rule when they are providing service to disabled passengers on a regular basis.

* "Air Transportation and the Disabled Passenger: Rights and Remedies", Claire Kelly. CBA-Ontario Continuing Legal Education. April 29, 1983. Much of the discussion in this part is taken directly from Ms. Kelly's paper.

Rule 33 is not primarily intended to provide a framework for dealing with specific complaints by the consumer. While the ATC is empowered to examine new or existing tariffs, its review tends to be passive and limited to possible technical errors in form. Should the ATC perceive no problem and receive no complaint, a tariff will come into effect within a prescribed period of between 30 and 45 days. (Of course, safety aspects must also meet the approval of Transport Canada.) In practice, the ATC does not interfere with a tariff provided that the fares are "just and reasonable" and "non-discriminatory". The existing practice, then, does not offer an appropriate means to establish standards of accommodation for disabled persons. Could the existing practice be modified to achieve that purpose?

Part II of the Aeronautics Act provides:

14. (1) The Commission may make regulations
 - (m) respecting traffic, tolls and tariffs and providing for
 - (i) the disallowance or suspension of any tariff or toll by the Commission,
 - (ii) the substitution of a tariff or toll satisfactory to the Commission, or
 - (iii) the prescription by the Commission of other tariffs or tolls in lieu of the tariffs or tolls disallowed;

Pursuant to this authority, the Commission has enacted section 113 (2) of the Air Carrier Regulations to the effect that no air carrier shall "make any unjust discrimination" in respect of tolls. A disabled passenger,

therefore, could complain to the ATC that an air carrier did not comply with its tariff or that a provision of the tariff constituted "unjust discrimination".

While this regulation relates only to "tolls", the authorizing legislation also permits regulations in relation to "traffic" and "tariffs" through its general surveillance of those tariffs. However, even under modified regulations, ATC supervision of tariffs does not provide a satisfactory vehicle for defining and enforcing the general requirement of "reasonable accommodation" for passengers with disabilities. The process by which individual carriers file tariffs, and the ATC merely reacts to them, frustrates any attempts to achieve the certainty and uniformity inherent in regulations of general application.

The ATC role in licensing commercial operators might also offer a means to establish accessibility standards. Here, the Air Carrier Regulations provide:

- 20 (1) Every licensee shall, in addition to such specific conditions as the Committee may attach thereto, be subject to the following terms and conditions:
- (e) the licensee shall ... provide and furnish transportation in accordance with the terms and conditions of its license and shall provide adequate service, equipment and facilities ...

Thus a disabled consumer could apply to the Commission under section 10(1)(b) of the Aeronautics Act for an order that "adequate service"

had not been provided. Section 16 of that Act also provides that the Commission:

- (6) ... may attach to the license such conditions as the Commission may consider necessary or desirable in the public interest ... [including] ... conditions respecting ... carriage of passengers.

Through its licensing powers, then, the Commission could require air carriers to provide specified services for the reasonable accommodation of passengers with disabilities. Of course, the basic question remains as to what constitutes "reasonable accommodation", and the focus, expertise and experience of the Commission has been primarily in economic regulation rather than human rights. Nevertheless, it can make a valuable contribution toward the final answers, and if standards of accessibility were incorporated as conditions of licenses, another avenue of enforcement would be available.

2. The Canadian Human Rights Act

Section 14(g) of the Canadian Human Rights Act provides that, even where there has been a denial of services which would otherwise constitute discrimination, there is no contravention where there is a "bona fide

justification" for the denial. This provision has been analysed in a recent discussion paper prepared for the Canadian Human Rights Commission.* The paper lists and discusses five categories or situations in which a bona fide justification may exist, namely, where there is: (1) risk or a safety hazard to others; (2) undue hardship (predominantly economic); (3) statutory or regulatory necessity; (4) inability or unwillingness of disabled persons to comply with terms of service; (5) inability reasonably to accommodate. The paper concludes with draft "guidelines" for applying the bona fide justification in relation to each of these categories.

For example, in relation to "undue hardship", it lists factors other than financial costs such as: the availability of trained personnel; collective agreement requirements; insurance premiums for increased risks; the probability of the services being used by disabled persons.

The Commission is engaging in broad consultations to assess these proposed guidelines so that it may help the public to know what may be expected concerning "reasonable accommodation". Since the provisions of the Act apply generally to all areas of activity within the Federal sphere, these guidelines do not focus on any special areas of activity such as transportation.

* "Application of the Bona Fide Justification Defence, S.14(g) of the Canadian Human Rights Act, With Respect to Disabled Persons", Claire Kelly Consulting Services Inc., January 1984.

Section 19.1(1) of the Act provides that:

The Governor in Council may, for the benefit of persons having any disability, make regulations prescribing standards of accessibility to services, facilities or premises.

The section also provides that where a standard exists in relation to a matter and the standard is met, a complaint may not be made in relation to that matter. Moreover, variance from the standard does not necessarily constitute a discriminatory practice.

There is an important distinction between "guidelines" and "standards" under the Canadian Human Rights Act. The Commission and any tribunals established under the Act are bound by guidelines, but the courts are not. However, standards are binding on all since they are regulations that have the same effect as legislation.

No standards have yet been enacted under this section. However, it seems to contemplate specific provisions for specialized areas of activity. These would state precisely what constitutes reasonable accommodation in various situations. In transportation, for example, sets of standards might be enacted for the marine, rail and air modes, respectively. Within each mode, separate standards might specify how wheelchairs and guide dogs must be accommodated or what degree of accessibility to washrooms must be provided.

Section 19.1 recognizes the importance of consultation in developing accessibility standards. It states that proposed standards be published in the Canada Gazette and a reasonable opportunity be afforded to interested persons to make representations in relation to them.

Another approach is embodied in section 15.1 of the Act. Under this section, a purveyor of goods and services can submit to the Canadian Human Rights Commission a plan to adapt any services, facilities, premises, operations, or equipment to meet the needs of disabled persons. Matters approved under such a plan will not constitute any basis for a complaint of discrimination, provided that the plan has been followed. (This section also provides that a plan can be rescinded where it ceases to be appropriate due to a change in circumstances.)

The Commission is also carrying out broad consultations on its supervisory role in adaptation planning. For example, it has distributed a document designed for use by organizations that wish to assess the accessibility of their own services, facilities or programs.* A second document presents the kinds of principles and performance criteria against which the Commission might evaluate adaptation plans that are voluntarily submitted.**

As stressed before, the nature of reasonable accommodation in transportation must be shaped by safety, technological and economic as well as human rights considerations. However, the Canadian Human Rights Act

* "Adaptation Planning Policy" and "Process Checklist", Working Draft prepared by Associated Planning Consultants, Toronto.

** "Adaptation Planning Principles and Performance Guidelines", Working Draft prepared by Associated Planning Consultants, Toronto.

provides no formal mechanism for linking the Commission's role in relation to either accessibility standards or adaptation plans with the role of other specialized regulators. Undoubtedly, the Commission could benefit from the expertise of the CTC and Transport Canada in formulating appropriate specialized standards or in assessing the reasonableness of adaptation plans. Presumably, these bodies could make representations on proposed standards pursuant to section 19.1(3) of the Act and on proposed plans pursuant to s.15.1(8). Moreover, the Commission will likely seek expert advice when required.

3. Part I of the Aeronautics Act

Although regulation of accessibility through airline tariffs and licenses (Part II) would be indirect, explicit regulations could be adopted under Part I of the Aeronautics Act. Such regulations could be essentially the same as the "accessibility standards" available under the Canadian Human Rights Act.

Under Part I of the Act:

- 6 (1) Subject to the approval of the Governor in Council, the Minister may make regulations to control and regulate air navigation over Canada ... and the conditions under which aircraft registered in Canada may be operated ... and ... may make regulations with respect to
 - (b) the registration, identification, inspection, certification and licensing of all aircraft...
 - (d) the conditions under which aircraft may be used or operated;

- (e) the conditions under which goods, mails and passengers may be transported in aircraft ... or under which aircraft may be employed;...
- (f) the institution and enforcement of such laws, rules and regulations as may be deemed necessary for the safe and proper navigation of aircraft...

This broad wording would provide sufficient authority to enable the Minister to make regulations establishing standards binding on air carriers with respect to the carriage of disabled persons.

However, the Canadian Transport Commission has the authority to make regulations under Part II of the same Act. Generally speaking, the Minister has responsibility for safety-related matters, while the Commission is primarily concerned with economic regulation. The subject of "service" overlaps both spheres. Indeed, a potential regulation could embody safety, economic and service considerations. Apparently, regulations governing the reasonable accommodation of persons with disabilities were not contemplated when this statute was drafted.

In Part I, section 6 provides that the Minister may make regulations "... to control and regulate air navigation ..." including:

- (e) the conditions under which ... passengers may be transported in aircraft;...
- 1) the institution and enforcement of such laws, rules and regulations.

In the past, the regulation-making powers in Part I were generally exercised in relation to safety matters, while those in Part II were generally exercised in relation to economic regulation. However, the Aeronautics Act contains no formal demarcation along such lines, and in the past, the

Minister has made regulations under Part I for objectives other than safety. Moreover, the object of defining "reasonable accommodation" in terms of specific accessibility standards introduces another dimension, the protection of human rights. The dictates of the "equality rights" provision of the Canadian Charter of Rights and Freedoms will soon permeate all statutes and regulations.

4. Conclusion

Regulations governing reasonable accommodation of passengers with disabilities likely were not contemplated when the Aeronautics Act was drafted. However, the broad wording does suggest that the legislators could well have intended to provide for unforeseen future needs. The degree of service necessary to achieve "reasonable accommodation" normally has both a safety and an economic aspect. Therefore, accessibility standards could be established: (a) as conditions of licenses through regulations passed by the Canadian Transport Commission under the Air Carrier Regulations pursuant to Part II of the Aeronautics Act; (b) as regulations made by the Governor in Council pursuant to section 19.1 of the Canadian Human Rights Act; or (c) as regulations made by the Minister of Transport, with the approval of the Governor in Council pursuant to Part I of the Aeronautics Act.

Nevertheless, some standards could fall within the exclusive jurisdiction of only one or two of the three potential regulators. For example, the CTC could require, as a condition of license for air service,

that a certain number of wheelchairs must be accepted for storage in the aircraft cabin. An accessibility standard to the same effect might also be adopted under the Canadian Human Rights Act. However, the Minister of Transport may be without jurisdiction to seek such a regulation under Part I of the Aeronautics Act.

B. The Need for Standards

1. The Nature of Standards

In our context, "standards" represent the level of accommodation and service required of air carriers to meet some of the special needs of consumers with disabilities. This could include the conformity of equipment to certain requirements, the availability of special equipment, the establishment of certain "systems" or procedures for dealing with special situations and the provision of individual assistance not ordinarily provided.

Of course, air carriers have been providing service to disabled passengers for years. Informal practices and procedures have developed. For example, the tariff provisions related to disabled passengers have been consolidated in Rule 33 of the Local and Joint Passenger Rules. The Air Transport Association of Canada has also developed a "Recommended Practice" for "Transportation of Disabled Passengers". (Appendix M) Some air carriers have developed more detailed internal procedures such as Air Canada's provisions concerning "Special Passenger Handling" and "Special Passenger Processing". (Appendix N)

Nevertheless, problems persist. The following passage illustrates the kind of frustration experienced even where an airline has taken care to establish detailed procedures:

When I got to the boarding gate, the person there informed me that I would have to go back through security and transfer into an Air Canada chair and return. I then produced the page of regulations pertaining to "Special Passenger Handling" ... to the person and she said "just a minute" and went back and informed whoever she was talking to that this wise guy had copies of their rule book. Still not being able to claim total fame because the girl came back and told me that because the plane was ten minutes late I would not be able to enjoy what's referred to as "Planeside Service" as I would hold up the plane - I did not have the heart to tell her that I was very aware that the last thing in that hold was to be my chair and the first thing out when I arrived at Regina. As soon as the packers came (and you can tell that the reason for their concern was that they did not want to get wet in the rain), I excused myself and went to the washroom. I came back in about the right time for loading and drove my chair down to the door anyway. Now, I'm finally on the plane.

When we arrived at Regina, I went down to the bottom of the ramp to find that my battery and battery box and the wiring in same was scattered all over hell. When I queried the man putting it together as to why this was done he told me that it was regulations for flying airplanes. I produced my copy of regulations pertaining to wide body aircraft L 1011, ... and assured him that there was nothing in there that said you were to take the battery out of the box (which is worth \$48.05) and then give it back to me hoping that I might be able to put it back together again and get that chair out of the airport and away from Air Canada. (Appendix O)

Such procedures may normally be effective, but they have no legal effect. Where they are not followed, the consumer's only recourse is to complain to the airline or choose another carrier next time. Where we are talking about fundamental human rights, that simply is not good enough.

The existence of legally enforceable accessibility standards might not be as important for some travellers as for others. For example, one paraplegic correspondent resolved a potential problem through her own initiative:

I was warned that I might have problems on my return CP flight if unattended. Fortunately, I managed to contact a general manager or other person in authority at CP a few days before departure. I was then issued a medical certificate by CP's chief medical person stating that I was allowed to travel independently i.e. unattended, and in fact I had no problems - CP's ground and on board staff providing me with luxury treatment. (Appendix P)

However, the writer is a lawyer who has travelled extensively both in Canada and abroad, both for business and pleasure. A less articulate traveller with little experience or confidence might not have achieved the same happy result.

Standards may be imposed on the providers of services or facilities in other ways. For example, where a company enters into an agreement with a government to construct a building, to obtain the right to provide certain services or to receive a grant, the contract might provide that certain standards be met. Here, the obligation is a private one enforceable only by the other party to the agreement.

In contrast, the standards discussed in the previous section would be legally enforceable with prescribed sanctions in law.

When the provisions of the Canadian Human Rights Act and the Canadian Charter of Rights and Freedoms come into full force, the adoption of accessibility standards would not significantly alter the legal obligations of carriers. Rather, it would attempt to define them. The basic objective would be to state as specifically as possible what constitutes "reasonable accommodation" of persons with various disabilities in as many situations as possible.

In reality, if such standards are not developed cooperatively and with foresight, they will be imposed ex post facto by human rights tribunals and courts adjudicating specific complaints and civil suits. There are obvious disadvantages to litigation as the mechanism for resolving these issues. It is expensive and frequently causes delay and uncertainty. Judicial pronouncements normally relate only to the specific facts and issues before the courts in specific cases. It clearly would be preferable to define "reasonable accommodation" in a comprehensive, cooperative manner at the start.

Standards adopted pursuant to section 19.1 of the Canadian Human Rights Act would provide immunity from complaints of discrimination. But the courts could always reject such standards and, indeed, provisions of the Act itself, on the basis that they do not meet the requirements of section 15 of the Charter. However, the reverse is more likely to be true. The courts are apt to welcome precise accessibility standards because they would aid in defining the legal scope of section 15.* This is particularly true where, as suggested earlier, the shape of "equality" must be fashioned in the context of safety, technology and economics.

2. Proposed Standards

Where three different bodies can create and enforce laws dealing with the same subject matter, there is an obvious need for cooperation and

* Legally enforceable standards may be important in triggering the "reasonable limits" balance provided in section 1 of the Charter. To be considered, the limit must be one which is "prescribed by law": Re Ontario Film and Video Appreciation Society and Ontario Board of Censors (1983) 41 O.R. (2d) 586.

coordination. For example, Section 33 of the Canadian Human Rights Act recognizes that other avenues of redress may be available in dealing with a complaint. It provides that the Commission may delay action until other grievance or review procedures are exhausted. Nevertheless, a board of inquiry under the Act would still order a carrier to do something which Transport Canada would view as unacceptable for safety reasons.

Although the Act provides that the Commission report to Parliament through the Minister of Justice, no Minister is assigned responsibility for making recommendations to the Governor in Council for the adoption of accessibility standards. It is possible, therefore, for any Minister to take the initiative in this respect.

There is much to be said for the Minister responsible for a particular subject area, such as transportation, to assume the leadership and responsibility for developing and recommending accessibility standards in that area. Such a Minister would obviously seek the counsel and agreement of the Canadian Human Rights Commission prior to making a recommendation to Cabinet.

There are many advantages to this approach. First of all, the Commission would not have to duplicate, on its own staff, the detailed technical capacity required for each area. Secondly, "reasonable accommodation" would be recognized not as a "human rights issue" appended to

transportation, communications or housing. Instead, it would be an integral component of the policy, planning and administration in the particular area. Thirdly, the standards under the Canadian Human Rights Act would be designed to be compatible with other regulations in the area. The assumption of such responsibility should accelerate understanding and sensitivity to the accommodation of disabilities.

Recommendation: (1) The Minister responsible for a particular subject area should assume responsibility for developing and recommending accessibility standards pursuant to section 19.1 of the Canadian Human Rights Act.

(2) The advice and agreement of the Canadian Human Rights Commission should be sought prior to making a recommendation to Cabinet.

(3) Where that Minister is reluctant to act, the Minister of Justice, on the advice of the Canadian Human Rights Commission, should assume such responsibility.

If air accessibility standards are adopted under section 19.1 of the Canadian Human Rights Act, would similar regulations under transportation legislation be redundant? They would not; the ideal would be to adopt identical standards as regulations under Part I of the Aeronautics Act and as a condition of licenses under Part II of the Aeronautics Act.

Variations in standards from these three sources would be undesirable. The adoption of identical regulations by all three authorities

would also eliminate uncertainty in terms of any suggestion, for example, that safety requirements could not be met because of human rights demands or that human rights requirements were incompatible with economic regulations.

Another advantage of adopting identical accessibility standards in all three spheres would be the different enforcement mechanisms available. In addition to the complaints mechanism (and immunity under section 19.1) of the Canadian Human Rights Commission, various alternatives would become available through the Aeronautics Act: networks of inspectors; operating certificates; renewal of licenses; inquiries and orders; prosecutions. In sum, the standards could be enforced comprehensively, without depriving a potential complainant of recourse under the Canadian Human Rights Act.

However, the jurisdictional problems discussed earlier* mean that the ideal of adopting identical accessibility regulations in all three spheres may not be possible. A particular regulation may have to be excluded from one or two of those spheres because it cannot be supported by the authorizing legislation. However, even if absolute symmetry cannot be achieved at present, maximum uniformity should be sought.

Recommendation: (1) Identical standards of accessibility for air carriers should be adopted: (a) as regulations under section 19.1 of the Canadian Human Rights Act; (b) as regulations under section 6, Part I, of the Aeronautics Act; and (c) as conditions of licenses pursuant to regulations under section 14, Part II, of the Aeronautics Act.

(2) The relevant authorizing legislation should be amended to ensure that identical accessibility standards can be adopted under all three spheres.

* Supra, at pp. 38-9.

It has been suggested, on occasion, that the adoption of accessibility standards would increase regulation of the air industry in conflict with Mr. Axworthy's recent policies of "deregulation" or "liberalization". However, that is not so. The recent movement toward deregulation has been confined to the economic sphere, with no intention to extend into safety or human rights. Moreover, as suggested earlier, reasonable accommodation of persons with disabilities is already subject to legal regulation. The adoption of accessibility standards would seek to give greater certainty and consistency to such regulation.

3. Limitations on Standards

Some human rights decisions have stated that if refusal to discriminate would result in loss of business (for example, by customers who insist on "white-only" taxi drivers), then such loss must be accepted as a cost of doing business in our country. However, in the context of air travel at least, reasonable accommodation of persons with disabilities cannot be defined in such absolute terms.

Aircraft are designed in various sizes and configurations to serve many purposes. In some circumstances, accommodation may simply be too costly or impractical. The Policy on Transportation of Disabled Persons* does not require that all vehicles be retrofitted to provide accessibility. Rather, it provides:

Improvements in access to transportation vehicles used by major carriers on all modes must be considered especially when new vehicles are acquired but also as a result of retrofitting existing vehicles.

* Supra, p.4

In other words, retrofitting should include reasonable modifications to enhance accessibility but need not be undertaken specifically for that purpose.

The adoption of accessibility standards, of course, will not solve all problems.* If they can increase certainty and consistency in even a few important areas, they will be valuable. Most often, they should be drafted in specific terms, but in some situations they may be better expressed as general requirements. One Canadian commentator offered the following observation on one of the standards enacted by the United States Civil Aeronautics Board:

... the airlines are obligated to provide important non-emergency information to blind or deaf passengers. However, each carrier is given the flexibility in choosing the method it will use to provide the required information. This approach is practical and effective in that it ensures that the needs of the disabled are considered while still allowing each carrier flexibility in selecting a method compatible with his mode of operation. It also allows the carriers to respond to and make use of new technology as it becomes available.**

Accessibility standards cannot, then, be specific in every respect. In some situations, a degree of flexibility may be desirable.

As said before, the adoption of accessibility standards must not have the effect of creating rather than eliminating barriers.***

* See passage quoted from Appendix B at supra, p.5.

** Debra Prupas, unpublished paper. Canadian Transport Commission.

*** Supra, p.13.

Likewise, these standards must not be treated as maximum rather than minimum standards of conduct and accommodation. Legal regulations cannot replace human decency and common sense. Rather, they should provide a context within which those qualities may thrive.

C. A Continuing Process

One of the submissions referred to earlier contains the following observation:

I firmly believe that there will be a progressive adoption of new standards of air accessibility for people with disabilities. We all owe the handicapped, and ourselves, that perseverance. Any change will be expectedly slow and complex because of the multitude of disability types, and the varying degrees of ability within each. There will, indeed must, be constant re-evaluations and changes in direction if we are to accomplish the goals of the current trend. (Appendix B)

In an area of rapidly changing markets and technology, accessibility standards cannot be written with any degree of permanence.

Instead, there must be an ongoing process of development, monitoring and re-evaluation. A body should be established for that purpose, with a mandate to keep under review all air accessibility standards in existence. It should also maintain a revolving agenda of emerging problem areas and potential solutions. To aid credibility and effectiveness, this body's work should proceed in a completely free and open atmosphere. All items under discussion and deliberation should be available to any interested person. Where items of broad public interest are considered, the body should take special steps to draw them to public attention long before they are adopted as regulations.

The Minister of Transport should designate an official or special advisor to have continuing responsibility for coordinating such a body and making recommendations directly to him. (Of course, the Minister would always welcome the advice of his Deputy Minister on these issues as well.) The proposed body must represent those most directly concerned, but it must not be so large as to be unwieldy. In addition to the coordinator, membership should include representatives of:

- (1) The Canadian Human Rights Commission;
- (2) the Canadian Transport Commission;
- (3) disabled consumers (perhaps on the recommendation of a broadly based consumers' association);
- (4) air carriers (perhaps on the recommendation of the Air Transport Association of Canada);
- (5) Transport Canada (presumably from the Domestic Air Policy Branch).

Many advantages would flow from such an ongoing mechanism in addition to the quality of standards maintained.

Regular (although not necessarily frequent) meetings of representatives from each sphere should aid mutual understanding of difficulties being encountered and efforts being made. The members would acquire greater expertise in relation to air accessibility, which they would transmit to those whom they represent.

The body would receive all complaints related to air accessibility, not with a view to resolving them individually but as a basis for developing more comprehensive solutions. It could also prove to be a valuable source of informal consultation for the Canadian Human Rights Commission in assessing adaptation plans and for air carriers in assessing their own options and initiatives concerning the accommodation of persons with disabilities. It might also serve as a prototype for similar ongoing mechanisms for other modes of transportation and, indeed, other areas of federal jurisdiction in which accessibility standards might be desirable.

Recommendation: (1) The Minister of Transport should designate a permanent coordinator for the development of air accessibility standards and appoint an air accessibility standards committee having representatives from: The Canadian Human Rights Commission; the Canadian Transport Commission; disabled consumers; air carriers; and Transport Canada.

(2) The coordinator, in consultation with the committee, should be responsible for ongoing development, monitoring and re-evaluation of air accessibility standards and for making recommendations to the Minister for changes to such standards whenever appropriate.

(3) Committee work should proceed in a completely open atmosphere, and it should take special initiatives to draw public attention to items of broad interest.

CHAPTER THREE

THE FUNDAMENTAL ISSUE OF SELF-DETERMINATION

A. Introduction

Perhaps the most fundamental issue concerning access by a disabled traveller is the right to make a personal assessment of one's self-reliance. Should the traveller decide whether he or she can manage without an attendant? Or should the air carrier be permitted to deny access completely unless the traveller is accompanied by such an attendant?

For most commercial flights, Rule 33 of the Local and Joint Passenger Rules* applies:

(B) ACCEPTANCE OF DISABLED PASSENGER

- (1) Carrier will refuse to transport ... any passenger whose mental or physical condition is such as to render him incapable of caring for himself without assistance, unless
 - (a) he is accompanied by an attendant who will be responsible for caring for him enroute, and
 - (b) with the care of such attendant, he will not require unreasonable attention or assistance from employees of the carrier.

* Appendix L. See also supra, Chapter Two, at pp. 28 et seq.

Although the wording of Rule 33 is imprecise, a passenger does not fall within this prohibition merely because "assistance in boarding or deplaning may be required". Thus, for example, a passenger unable to move about within an aircraft unassisted, but who is otherwise self-sufficient in taking care of physical needs during flight, is permitted to travel without an attendant.

The wording also suggests that a disabled passenger travelling without an attendant is not entitled to any assistance from carrier employees. However, such a passenger travelling with an attendant would appear to be entitled to "reasonable attention or assistance". While such wording is awkward, a reasonable interpretation is that all disabled passengers would be entitled to reasonable "attention or assistance", just as all passengers can expect to receive a reasonable degree of individualized treatment and service. Provided the demand for such service is not unreasonable or extraordinary, there is no reason for distinguishing marginal assistance to a disabled passenger (for example, opening a cellophane package on a food tray) from that provided to other passengers (for example, warming a baby's bottle or assisting a short person in stowing a coat overhead).

Rule 33 does not specify who has authority to determine whether or not an attendant is required. It merely states that:

... the carrier will normally accept the disabled person's determination as to self-reliance. [Emphasis added]

Implicitly, the carrier has the ultimate decision as to whether or not a disabled traveller is entitled to travel alone or whether an attendant is required.

In practice, the ticket agent often asks the disabled passenger whether any special assistance is required on board. This might include assistance within the washroom, assistance in being fed or the need for medical attention. Few difficulties are encountered since the disabled passenger's response is accepted:

The carriers indicated that they experience no difficulties in accepting the disabled person's assessment and as a result have had no need to contradict [it]. As a result carriers have had no need to develop internal criteria to define how they might otherwise exercise their discretion. Transport Canada air policy personnel have quite realistically raised the question whether such criteria could ever be practically developed.*

Nevertheless, the carrier is not bound to rely on the passenger's assessment and, occasionally, it refuses to do so. The slack in the word "normally" injects a potential arbitrariness into the determination of self-reliance. This could seriously compromise the dignity of the disabled passenger, which is protected by section 15 of the Canadian Charter of Rights and Freedom.

Rule 33 also provides that the carrier maintains the right to require a "medical clearance" from medical authorities:

* "Air Transportation and the Disabled Passenger: Rights and Remedies", Claire Kelly. C.B.A. Continuing Legal Education. April 29, 1983.

... if travel involves any unusual risk or hazard to the passenger or to other persons (including, in cases of pregnant passengers, unborn children).

While this provision is placed under the general heading "Acceptance of Disabled Passengers", the wording suggests a medical condition such as a contagious disease or some other serious illness that requires immediate treatment.

The linking of disabilities to "illness" has been justifiably resented in the past:

There was resentment that carriers often presumed that the handicapped were ill and required from them a medical certificate in advance of travelling. One of the COPOH resolutions stated that the physically disabled were not ill, that they were no more likely to be under a physician's care than anyone else, and that to have them produce a medical certificate before travelling was ludicrous.*

Few would deny the need to refuse carriage to a disorderly drunk or to someone suffering from a contagious disease. However, such categories are unrelated to the degree to which disabled passengers can look after their physical needs during flight.

The typical kind of problem was related by a correspondent who had flown from Toronto to Vancouver. When checking in for the return flight she was told that she could not fly back to Toronto without an "able-bodied" attendant:

* Public Meeting on Problems of the Handicapped with Regard to Public Transportation Under Federal Jurisdiction: Summary of Proceedings.
Canadian Transport Commission. Ottawa, March 1980.

A somewhat lengthy discussion ensued. When I asked who would qualify ... he said "someone who could carry you off the plane in case of emergency and take you to the bathroom if necessary in flight ... At no time during the conversation did he ask if I was self-sufficient but simply kept insisting because I was unable to walk, requirements necessitated my having an attendant. (Appendix H)

Ultimately, the agent conceded that he would "allow" her to return, because she had been permitted to travel unaccompanied in the first place.

Other similar examples were brought to our attention, including the Doolittle case which received prominent media coverage in 1983. Mr. Doolittle was told that he could not fly from Toronto to Saskatoon without an attendant. Although he uses a wheelchair and would need boarding assistance, he lives almost totally independently and would not require any special assistance during the flight. The recurring nature of this fundamental problem was summarized in a letter from the Canadian Paraplegic Association:

The unpredictable requirement of medical certification or attendance continues to plague the disabled travelling public, including our own President upon occasion. The efforts of our Association over many years to alleviate these problems, by discussion with airline officials, have been frustrated by the repeated recurrences at various airports and situations arising from various airlines. (Appendix Q)

Without reasonable legal standards to govern these situations, litigation under human rights legislation and section 15 of the Charter is inevitable.

B. Responsibilities and Rights

1. General Refusal to Transport

Rule 34 of the Local and Joint Passenger Rules sets out the situations in which carriers shall refuse to transport passengers. It includes the following:

- (A) Carriers will refuse to transport ... any passenger
- (2) ... whose conduct status, age or mental or physical condition is such as to - ...
 - (b) Make such refusal ... necessary for the reasonable safety or comfort of other passengers, or
 - (c) Involve any unusual hazard or risk to himself or to other persons (including, in cases of pregnant passengers, unborn children) or to property.

In addition to accepting these provisions, Transport Canada has generally considered that the pilot must have the final word on all matters concerning aircraft safety.

Air carriers must retain this ultimate authority to refuse carriage to any passenger who reasonably could be perceived to threaten safety. The following categories have been suggested as deserving refusal:

... if a person had a contagious disease, was drunk, had a serious illness which required immediate treatment or had a condition which produced disruptive behaviour.*

These categories are not comprehensive. For example, actual disruptive behaviour, quite apart from any "condition", should also lead to refusal.

* Public Meeting on Problems of the Handicapped with Regard to Public Transportation Under Federal Jurisdiction: Summary of Proceedings.
Canadian Transport Commission. Ottawa, March 1980.

This general authority is important enough to be embodied in a specific regulation, rather than left to the tariffs or to implicit regulations. Such a regulation would extend beyond the standards of accessibility for disabled passengers, but it would be the starting point from which consideration of such standards could proceed.

If such a regulation were adopted, the mere presence of a physical or mental disability should not be sufficient to warrant refusal under this general authority. Obviously, a disabled passenger who is drunk or disorderly should be refused carriage. However, the presence of a disability should not warrant refusal unless it can be reasonably and specifically related to a potential safety hazard. Of course, where that occurs, the issue will arise as to whether the carrier has offered reasonable accommodation to try to eliminate the potential hazard.

In fairness to all passengers who are refused carriage under such a general regulation, the carrier should be required to specify in writing the basis for any refusal (including the manner in which safety is perceived to be endangered). Such a requirement, in itself, should encourage a more careful assessment of the specific circumstances involved and, thereby, reduce the number of arbitrary decisions.

Recommendation: (1) A regulation should be adopted under the Aeronautics Act specifying the responsibility of air carriers to refuse to transport any passenger on the basis that the health or safety of that passenger or any others could be reasonably endangered thereby.

(2) The mere presence of a physical or mental disability should not be sufficient to warrant refusal under this general authority.

(3) Where transport is refused under this regulation, the air carrier should be required to specify in writing the basis for any refusal including the manner in which health or safety is perceived to be affected.

2. Evacuation

Rule 33 does not specifically include self-care during an emergency as a basis for being permitted to fly without an attendant. However, the requirement of self-care "during the flight" could be interpreted to extend to emergency evacuations. Nevertheless:

In practice the air carriers apply the distinction between self-reliant and non self-reliant such that disabled persons who are capable of taking care of their own personal, physical needs can travel alone even though they may not be able to assist themselves in an emergency.*

* Kelly, loc. cit.

At first, the question of self-reliance during evacuation would appear to be relevant in assessing whether or not an attendant should be required. However, the issue of safety in evacuation has been addressed in another way.

Transport Canada has adopted guidelines for the maximum number of non-ambulatory passengers that may be safely transported on any flight. These were incorporated into Rule 33* and, more recently, revised to reflect the special abilities of "wheelchair athletes". The number limits are based on the assumption that while many unattended non-ambulatory passengers would rely on cabin crew or fellow passengers during any emergency evacuation, some would be able to make their own way to an exit. The figures rely on much of the data and research developed by the Aeromedical Institute of the U.S. Federal Air Administration in its study on Emergency Escape of Handicapped Air Travellers. They take into account the type of aircraft, whether "planned" seating is available and whether the non-ambulatory passenger is accompanied by an attendant. For wheelchair-bound athletes, certain carriers may increase, within limits, the numbers specified in Rule 33.

* See, generally, Kelly, loc. cit., at pp. 20 et seq.

The subjectivity involved in developing the numbers has been criticized. Some respondents have stressed to us that the limits should be increased. Others have called for reductions. The limit of only two unattended, non-ambulatory passengers on the DC-9 aircraft has caused particular concern.* In the time available, it was not possible to assess the validity of the actual numbers established by Transport Canada. They appear to have evolved following intensive consultation with major carriers and to have achieved a considerable degree of acceptance.

This general approach of dealing with evacuation safety problems through the establishment of limits appears to be reasonable. However, the actual numbers, and the underlying assumptions, should remain under critical re-assessment and be open to revision in either direction by Transport Canada. At the same time these limits should be established under the regulations as accessibility standards.

Recommendation: An accessibility standard to govern emergency evacuation safety should be adopted in the form of number limits on the accommodation of non-ambulatory passengers, similar to current Transport Canada guidelines. They should remain under critical re-assessment.

* However, this appears to be based on a misinterpretation of Rule 33 which permits four such passengers, provided two are assigned "planned seating".

The evacuation of disabled passengers raises broad considerations:

This is a moral issue, as well as an economic one. In our view, it is morally offensive to provide equal access to air travel without at the same time ensuring equal access to emergency evacuation.

If it is necessary to evacuate aircraft due to fire or other reasons, who will help the disabled to get out of their seats and reach an emergency exit? Flight attendants are instructed to lead passengers as far away from an aircraft as possible, following an evacuation. If a non-ambulatory passenger manages to reach an emergency exit, and goes down the chute, who will assist her/him in escaping to a safe place away from the aircraft? Who will assist such individuals in the case of a ditching or an evacuation that does not take place at an airport? Who will take the blame if a B-747 crashes and all passengers and crew members survive except the 25 non-ambulatory passengers?

(Appendix R)

Should evacuation procedures be designed to minimize every possible danger, even by reducing dramatically the number of disabled passengers per flight? The ultimate conclusion might be that an attendant is required for every non-ambulatory passenger and any other disabled passenger who might have difficulty in reaching an exit unassisted.

Many disabled persons commented on this broad issue, and there emerged a concept that might be described as the "dignity of risk". As one correspondent put it:

I also appreciate that if the aircraft develops any problems, I may be one of those people who does not get off. I do not expect other passengers or the crew to sacrifice themselves to assist me to get off. I would not expect or ask anyone who I was forced to bring with me, to sacrifice themselves to aid me, either. I accept this condition as

one of the facts I face with my disability, in the same circumstances as a disabled person living on the upper floors of an apartment building, above the level to be reached by fire department ladders, may not be able to escape a serious fire, but if he wishes to do this, he must be allowed to do so. (Appendix S)

If one considers the mandate of section 15 of the Canadian Charter of Rights and Freedoms to include the fullest possible participation of disabled persons in the mainstream of Canadian society, recognition of the "dignity of risk" is compelling.

But where does that leave the flight attendant or pilot faced with the many unanswered questions on the previous page? Few would argue that the freedom of a disabled passenger to assume risk should extend to an undue increase in potential risk to airline employees or other passengers.

The general principle was addressed in the discussion paper prepared for the Canadian Human Rights Commission and referred to earlier.* It suggests that, to establish a bona fide justification for denying service to a disabled traveller:

- an air carrier would bear the onus,
- of establishing a "reasonable probability",
- of an "identifiable and quantifiable" safety hazard to others,
- which is uniquely increased by the particular disability in question,
- and is not remote.

In general, the risk to others must be real and present rather than hypothetical or speculative. So long as the disabled traveller can understand the nature and extent of the risk and, in taking the risk, is not endangering the safety of others, he or she should be entitled to the

* "Application of the Bona Fide Justification Defence.." Supra, at p.33.

dignity of determining whether or not to assume that risk. Even so, the "dignity of risk" cannot be treated as absolute. Air carriers have a regulated obligation to conduct a safe service, and Transport Canada has a duty to enforce that obligation.

There may be a tendency to exaggerate the problems in evacuating many disabled passengers simply because their disabilities are visible. However, additional factors must be considered. Many passengers without visible disabilities may suffer from severe heart disease or other "hidden" illnesses. Many wheelchair users are remarkably mobile without any aids. They can move quickly simply by crawling with their hands and arms. In some ways, the ingenuity required of many disabled persons in dealing with adversity may leave them better equipped than many non-disabled persons to cope with emergencies.

In most serious emergencies, there may be others who are unconscious or injured and thus need help. Evacuation of unattended disabled passengers who require assistance would proceed in the same manner as these others. However, of greater concern is the more frequent type of accident where initial damage is limited but very little time is available for evacuation (such as the recent Air Canada DC-9 at Cincinnati).

All of the above circumstances have been carefully considered by Transport Canada in developing the number limits described earlier.

The flight crew and cabin attendants may be faced with real dilemmas in such situations. However, they will not be unique. Police

officers, firefighters, ships' crews, and others must also face them on occasion. Undue risk to personal safety is not demanded, although it is occasionally taken by these professionals and by others who simply find themselves at the scene of a real or potential tragedy. In the end, we can do only "the best we can".

The previous recommendation proposed that the safety of emergency evacuation be addressed comprehensively through the adoption of number limits for the accommodation of non-ambulatory passengers. Since that issue has been addressed, emergency evacuation should not be considered by carriers in exercising their general responsibility of "refusal to transport" provided, of course, that the number limits have not been reached.

Recommendation: Safety factors in relation to the evacuation of disabled passengers shall not form any part of the basis for air carriers to exercise their general responsibility of "refusal to transport".

Related to risk is legal liability. The Summary of Proceedings of the 1979 CTC public meeting states:

Perhaps the most contentious issue which was discussed throughout the course of the proceedings was that of restrictions found in the carriers' tariffs or regulations on the liability claims of handicapped travellers. Generally, the carriers required some form of waiver of liability from handicapped travellers based on the stated assumption that carriage of such passengers expose the company and its employees to a greater risk of damage or injury than would occur in carrying non-handicapped passengers.

Since February 1981, the tariffs have eliminated the requirement of waivers of liability. Nevertheless, it would be desirable to recognize this practice in an enforceable accessibility standard.

Recommendation: An accessibility standard should be adopted prohibiting air carriers from requiring waivers of legal liability by disabled passengers.

3. Self-Reliance

If the issue of evacuation safety is addressed by control of numbers, the issue of self-reliance is reduced to a question of the level of service required. The Government Policy on Transportation of Disabled Persons provides:

Carriers should not be required to provide "extraordinary care" of disabled passengers travelling, such as assistance in breathing, eating or using washroom facilities. Assistance in routine boarding, debarking and moving to and from the washroom, where applicable, is not considered extraordinary care.

This, generally, reflects both the existing practice of carriers and the expectations of travellers with disabilities. These will be addressed more specifically in Chapter Five.

However, the central question concerning self-reliance is who should ultimately determine whether or not an attendant is required. The CTC Summary of Proceedings referred to the position of the Coalition of Provincial Organizations of the Handicapped:

COPOH stated that the handicapped were intelligent, responsible citizens who were best able to define their own capacities and limitations and whether or not they required assistance. COPOH suggested that to assign this interpretation to a ticket clerk or reservations agent was to reverse the responsibility that rightfully belonged to the passenger.

The Obstacles report recommended:

That the Federal Government through the Minister of Transport require that air carriers adopt a policy of accepting the disabled traveller's estimate of his/her self-reliance.

As indicated earlier, under existing tariffs and practice, the air carriers "normally" accept the disabled traveller's estimate of self-reliance.

That normal practice should be made absolute, to establish firmly the passenger's right to make this decision. Situations where such a decision may be questionable have proven to be rare. The disabled passenger is highly motivated to take every possible precaution to avoid complications during the flight. Many reduce their liquid intake in the hours preceding the flight to avoid the necessity of using the washroom. Some, who have great difficulty in feeding themselves, choose not to eat on board.

In the exceptional case where it proves unwise to have flown without an attendant, the consequences will seldom be serious. Against these marginal consequences must be weighed the serious burden that the requirement of an attendant can create. At present, the attendant flies at one-half of the disabled passenger's fare. Even that may be a significant expense. In addition, there is the cost of food, lodging and possible fees for the services rendered. One wheelchair-user who has flown with and without attendants commented that she prefers to fly alone wherever possible because attendants can be "such a nuisance to look after"!

Recommendation: An accessibility standard should be adopted to require air carriers to accept the personal assessment of each disabled traveller as to whether he or she is self-reliant (i.e., does not require an extraordinary degree of care) or whether an attendant is required.

This recommendation, plus the removal of emergency evacuation considerations as a basis for refusal to transport, would not necessarily require any revision of the Transport Canada number limits. The most important criterion for evacuation relates not to self-reliance as discussed above but to whether or not the passenger is "ambulatory", i.e., can move about unassisted. Special limits might be considered for those who are blind and deaf and those with severe mental disabilities. There are no such limits now because of the requirement that these passengers have an attendant. Even if the limit were set at one passenger from a combination of all such categories, the principle of individual self-determination would survive. The re-assessment of number limits by Transport Canada should consider the possibility of "shared" attendants, whereby one attendant might serve more than one passenger.

It is possible to imagine extreme cases where the elimination of the authority to require an attendant could generate abuse. For example, a severely disabled passenger, clearly needing an attendant, could be placed on a flight alone, simply trusting that the flight attendants would do whatever were necessary to keep the passenger from harm. However, such occurrences are likely to be so unusual that it may be counter-productive to speculate about them now. If patterns of abuse begin to emerge, they can be addressed specifically through amendments generated by the Committee proposed in Chapter Two.

C. Accommodation of Attendants

1. Cost

The Obstacles report recommended:

That where an attendant is required to care for personal needs of a disabled traveller, that attendant will travel free.

The Air Transport Committee of the Canadian Transport Commission considered this issue and, on March 2, 1982, ruled that the practice of charging a separate fare for an attendant was unjustly discriminatory.

However, on July 14, 1983, the Commission's Review Committee ruled that the ATC had failed to give adequate notice to potential intervenors prior to reaching its decision. As a result, the initial decision was set aside and the matter was referred back to the ATC for re-examination. The Committee received further submissions until late 1983 but has not yet rendered a decision. On December 19, 1983, the Minister of Transport responded to the position of the air carriers on this issue. This letter was sent to the Commission and then made public. (Appendix T)

Air Canada recently filed a provision in its domestic and transborder unit toll tariff, effective April 15, 1984, to permit an

attendant accompanying disabled passengers to travel at 50% of the applicable fare. More recent tariff filings indicate that Quebecair, CP Air, Nordair, Pacific Western and Eastern Provincial Airlines* all now offer the same discount, but with variations in requirements and availability (for example, only Air Canada's tariff applies outside Canada).

Air Canada follows this procedure when passengers, while making reservations, identify themselves as disabled. If medical clearance is deemed necessary, an automated questionnaire is completed. This identifies the type of disability and whether or not an attendant is expected (See Appendix U). The Medical Branch then normally responds promptly, saying whether or not the reduced fare is approved.

The necessity of medical approval to qualify for the reduced fare is related to the potential for abuse. A paraplegic correspondent recognized this, and also pointed to the unfair burden that the financial cost of an attendant could impose:

However, if it is decided that some disabled do require an attendant and he/she will fly free, it is only logical that the non-self-reliant disabled person would sit at the ticket counter with a sign, offering a lower price for the use of his free attendant seat! If the non-self-reliant disabled person is forced to pay for two seats, it would be so unfair, and such an infringement on his human rights, as to be impossible to implement. (Appendix S)

* Limited to 50% of full economy fare for E.P.A.

The concern may be exaggerated here, but it is real. A universal identification system for those requiring an attendant who, therefore, would be eligible for the reduced fare, would create greater certainty.

2. The Multi-Modal Card

The concept of a universal identification system was criticized at first. Nevertheless, in its March 1982 decision, which found extra fares for attendants to be unjustly discriminatory, the Air Transport Committee expressed the need to establish a proper administrative framework to identify those disabled passengers who need an attendant.

In December 1982, the Canadian Transport Commission decided to issue identification cards for this purpose. The Commission's Special Advisory Panel on the Transportation of the Handicapped undertook to develop such a card. Subsequently, VIA Rail, the Canadian Motor Coach Association, the Air Transport Association of Canada and many segments of the disabled community supported this project.

The basic objective is a "multi-modal card" to identify those disabled persons who require an attendant to accompany them, thereby entitling the attendant to travel at a reduced fare by airplane, train, bus or ferry. Eligibility for the card would depend on the need for extraordinary care during carriage. As discussed earlier, extraordinary

care would not include assistance in boarding and deboarding, nor would it include minor services such as assistance in reaching a washroom or in opening food packages.

An application form is being developed in consultation with carriers, disabled persons and Transport Canada. Consideration is being given to establishing categories of disabilities, such as severe mental retardation and combined deafness and blindness, for which the card would be issued automatically. For applicants not falling within the designated categories, the nature and degree of the disability would have to be assessed, perhaps with the assistance of specialists in aviation medicine. A number of concerns have been raised during the consultations, such as the need to protect the privacy of applicants and the need for a review procedure for applicants (or carriers) dissatisfied with the decisions taken.

There is also the question of who should qualify as an attendant. The broad criteria of a person willing to assume full responsibility for in-flight care and able to provide the assistance required would appear to be sufficient to define an attendant in this context.

The Commission hopes to have the application form and accompanying instruction guide available by Fall 1984, with the cards issued and recognized by early 1985. This project must continue as a high priority

if these targets are to be met. As well, there must be appropriate publicity to ensure that the travelling public understands the new system.

Recommendation: (1) An accessibility standard should be adopted to require air carriers to recognize and comply with the conditions of the transportation identification cards issued by the Canadian Transport Commission to disabled travellers needing extraordinary care during flight.

(2) Such a card would permit an attendant, who is willing to assume full responsibility for the passenger during flight and is able to provide any necessary assistance, to accompany the passenger at a reduced fare.

3. Special Situations

Identification cards are now issued by specialized organizations such as the Canadian National Institute for the Blind and the Multiple Sclerosis Society of Canada. The CNIB card permits a blind or visually impaired person to take advantage of concessions offered by VIA Rail, the Canadian Motor Coach Association, urban transport authorities and movie theatres.

The adoption of the multi-modal card would not preclude the continued recognition of such specialized cards. The criteria for eligibility for these cards may be more relaxed, and the benefits available

may be greater. However, such cards could continue to be recognized voluntarily through mutual agreement. They would not have the universality or the legal enforceability of the proposed multi-modal card.

For example, a blind person might still be eligible for a CNIB card but would not require an attendant under the criteria established for the multi-modal card. Moreover, the reduced fare for attendants offered by carriers voluntarily in some modes could prove to be lower than those ultimately imposed by law.

The CNIB submission (Appendix V) drew to our attention the special situation of a person who is recently disabled. Although, eventually, the person may become self-sufficient through experience in flying, he or she may not yet have acquired the necessary, independent travel skills. Such situations should be recognized in assessing eligibility for the multi-modal card. The elderly disabled will also warrant special consideration.

Some thought should be given to issuing a type of multi-modal card to institutions rather than individual travellers. Some institutions are responsible for arranging travel for disabled persons to other centres for specialized treatment. Others frequently arrange the transportation of students, for example, to and from the institution and their permanent homes. Rather than an application form from each individual who is accompanied, a discretionary card in the name of a professional from the institution might be far more convenient. However, this suggestion could create many more problems than it solves. Administration would be difficult, and the essentially personal nature of the cards would be lost.

The basic question arises as to whether the issuance of a multi-modal card to an individual should subsequently remove the holder's right of self-determination. In other words, once the card is issued, must the holder always travel with an attendant? Logic would so indicate. In applying for a card, the applicant can be seen to be making the decision that he or she is not self-reliant and requires an attendant. If that is the case, an attendant should be required for every flight.

However, on further reflection, the answer is not so clear. A person who may need an attendant for a longer flight may be quite self-sufficient on a shorter one. (There may also be variations between modes, but these could be more easily recognized on the card itself).

Moreover, even the passenger who may ordinarily need an attendant may be able to travel alone through taking elaborate precautions and by declining to eat. Often these actions may involve personal discomfort. While no passenger should be required to travel in such circumstances, all should be permitted to do so. The issuance of a multi-modal card, therefore, should not affect the requirement that the air carrier accept the personal assessment of each disabled traveller as to whether he or she will be self-reliant for any particular flight. This approach would also permit the "sharing" of an attendant by more than one passenger.

Recommendation: The personal assessment of a traveller's self-reliance for any particular flight shall be accepted by the carrier, notwithstanding the traveller is the holder of a disabled traveller's transportation identification card.

In sum, the basic criterion for obtaining a multi-modal card is the need for extraordinary care during flight. In discussing the situation of emergency evacuation, it was submitted that the disabled passenger should be entitled to "the dignity of risk" in relation to special dangers that passenger might encounter. However, he or she should not be required to assume additional risk. In other words, a passenger with a disability that would prevent self-evacuation might prefer to travel with an attendant, even though no extraordinary assistance is required in-flight, solely for the purpose of ensuring the safest possible evacuation.

Should such a traveller be entitled to a multi-modal card? If so, it would be reasonable to insist that the attendant be physically able to carry the traveller off the aircraft.

However, if every non-ambulatory passenger were entitled to an attendant at reduced fare, the potential for abuse would be great. A more realistic position might be that reasonable accommodation in evacuation will be provided as a result of the restriction on numbers imposed by Transport Canada. Since reasonable evacuation is available, any greater degree of safety desired by the passenger would have to be at his or her own expense.

CHAPTER FOUR

OTHER BROAD ISSUES

A. General Prohibition

As stated earlier, general provisions in the Canadian Human Rights Act and in the Canada Charter of Rights and Freedoms prohibit discrimination based on mental or physical disability. Nevertheless, a similar general prohibition should be included in the accessibility standards enacted as regulations under the Canadian Human Rights Act and the Aeronautics Act. Such a broad provision would serve as a starting point and could permit both the Minister and the Canadian Transport Commission to exercise residual authority in situations that might fall slightly outside the specific accessibility standards.

Recommendation: (1) An accessibility standard should be adopted to provide that air carriers shall not unduly discriminate against any passenger because of mental or physical disability, but that reasonable steps shall be taken to accommodate the disability in the provision of goods and services.

(2) The standard should also provide that reasonable accommodation generally include assistance in boarding and deboarding, and minor assistance not ordinarily provided to other passengers.

The question of retrofitting was referred to briefly in Chapter Two. Federal policy states that retrofitting to enhance accessibility need not occur immediately, but when re-fitting occurs, measures are to be taken to improve accessibility. It would be valuable in providing greater certainty to air carriers, as well as to consumers, to specify in the standards what carriers must do in relation to retrofitting. Where accessibility standards specify certain physical features for aircraft, however, it would be reasonable to establish a realistic deadline by which modifications must occur.

Recommendation: (1) An accessibility standard should be adopted to provide that retrofitting of existing aircraft need not be undertaken with the sole purpose of enhancing accessibility except where modified physical features are specifically required by these standards.

(2) Where such specific standards exist, the necessary modifications must be completed within one year after these regulations come into force.

(3) Where no such specific standards exist, all reasonable modifications that would enhance accessibility shall be undertaken during ordinary re-fitting.

B. Applicability

The same accessibility standards cannot be applied to a "jumbo" jet and a small sea-plane. The president of one small northern airline wrote:

The writer has been flying or otherwise engaged in commercial air transportation since 1945 and can only recall three instances where we had to provide transportation for people in wheel chairs. We are sure that if we provided full facilities to accommodate the disabled, we would not get any more requests from the disabled to provide them with air transportation. We feel that it would be a waste of time and money for carriers in our category to provide any further accommodations for the disabled as they would not be used. (Appendix W)

The manager of a helicopter charter operator observed:

It would be extremely difficult, if not impossible, for operators of light helicopters to provide a service for disabled individuals. Simply because of the size and location of entrance and exit doors, we could not provide suitable methods for a disabled person to enter or exit our helicopters in a dignified manner. As we have had no call for such a service, I am sorry I cannot be more helpful or positive. (Appendix X)

The size of the aircraft is important, but the configuration is significant as well. For example, the Dash 7 and 8 models may be large, but their design for shorter distance commuting has created some difficulties concerning accessibility.

Ideally, accessibility standards would cover all aircraft but would permit any air carrier to apply for specific exemptions. These would be granted for specific aircraft or flights, based on reasonable grounds. Such grounds might include not only the nature of the aircraft and service, but also the facilities available in the communities being served. However,

at this initial stage in the development of accessibility standards, such an approach could generate considerable problems and confusion. Complex analysis and detailed consultation would be required, and the ensuing delay could jeopardize the adoption of any accessibility standards at all.

The first step, then, would be to define a category of aircraft to which the standards would apply comprehensively. Once they have been adopted, their extension to other categories (in whole or in part) could be assessed with a view to moving toward the ideal described above.

The Air Transport Association of Canada* made the following suggestion:

The Association would suggest that any regulations developed by the Minister should apply only to airplanes having a passenger seating capacity of more than 60 seats. Any definitive regulations for the smaller aircraft would, in our opinion, be a nightmare. Any rules requiring provisions of special services and equipment may be proportionally more burdensome on operations of smaller aircraft and may impose costs which outweigh their benefits.

The Association also suggested that "recommended practices or guidance material" be provided to smaller aircraft operators to assist them in complying with the general prohibition against discrimination. This suggestion was discussed with many of those consulted and has been generally accepted as the starting point for establishing the applicability of air accessibility standards. More detailed analysis and assessment can proceed from that point.

* See also the valuable submission from First Air (Appendix Y).

Recommendation: (1) Accessibility standards should apply to all domestic scheduled and charter air services conducted in airplanes with sixty or more passenger seats.

(2) The Air Accessibility Standards Committee should consider, as a first priority, the extension of the accessibility standards, in whole or in part, to other categories of aircraft.

(3) The Committee should also develop recommended practices and guidance material to assist smaller aircraft operators in complying with the general prohibition against discrimination.

It should be made clear that even though accessibility standards may not apply to certain kinds of aircraft, the carriers must still fulfill their legal obligation of reasonable accommodation. The precise nature of that obligation, however, will remain undefined until it is decided through litigation. For example, while the small northern airline seldom receives a request to transport a person in a wheelchair, nevertheless, when such a request is received, reasonable steps are taken to accommodate it. Such a response will continue to be expected for aircraft not yet subject to accessibility standards.

C. International Carriage

Complex legal issues arise in relation to the regulation of Canadian carriers engaged in international carriage and foreign carriers operating in Canada.

Strictly speaking, a Canadian carrier engaged in international carriage by air is subject to all applicable Canadian laws just as though it were operating solely in Canada. However, the carrier would also be

subject to certain international agreements, such as the Warsaw Convention* and the Hague Protocol,** establishing limits of legal liability.

In addition, Canadian and foreign civil aircraft operating internationally are subject to the 1944 Chicago Convention and related documents, as well as bilateral air transport services agreements. Canada would probably not violate the Chicago Convention if it extended the application of regulations respecting air accessibility standards for the disabled to foreign aircraft flying to or from Canada. Nevertheless, many subtleties in international law and practice may come into play.

Potentially incompatible laws in different jurisdictions may also complicate the situation. For example, all warm-blooded animals, including dog guides, entering the United Kingdom, must travel in the compartment as manifested air freight. (They are quarantined for six months after arrival).

Recommendation: (1) Canada's air accessibility standards should apply both to Canadian carriers operating in other countries and to foreign carriers operating in Canada, to the extent compatible both with Canada's international obligations and applicable foreign laws.

(2) Such obligations should be reviewed with a view to possible modification that could broaden the applicability of such standards.

* Convention for the Unification of Certain Rules Relating to International Carriage by Air, signed October 12, 1929, Warsaw.

** Protocol to Amend the Convention for the Unification of Certain Rules Relating to International Carriage by Air, signed September 28, 1955, The Hague.

Ideally, accessibility standards should be established internationally. However, development of international conventions may require years of effort and discussion before they come into force. Nevertheless, Canada may be able to provide leadership in this task, and it should do so.

Recommendation: Canada should take initiatives toward establishing an international convention on accessibility standards for the transportation of disabled passengers by commercial air carriers.

D. Employee Education and Training

The Air Transport Association of Canada has developed "Training Specifications" (Appendix Z) to guide air carriers in developing their own programs for the education and training of personnel. These specifications offer a useful approach, and some carriers have established one-day training sessions, which may include the participation of disabled persons. There are many publications relevant to these programs, such as Transport Canada's Guide to Recognizing, Understanding and Assisting Travellers With Disabilities (Revised March 1983).

However, in spite of the progress of carriers in this area, concern about sensitivity and training of carrier personnel was perhaps the most recurring theme amongst all of the submissions received. A review of the complaints received by the Canadian Transport Commission from disabled air travellers also indicates that inadequate personnel training may be the most significant barrier.

The brief submitted by the Office of Handicapped Persons of the Government of Quebec stated:

A more open mind and training of airline personnel, among changes made by air carriers, would greatly assist [persons with disabilities] in travelling by plane. This Office believes that the approach to meeting the needs of travellers with disabilities, in the air terminals and on board, would be simplified by adequate training of personnel and making them more aware [of special needs]. (Appendix AA)

The following examples of insensitivity were contained in another submission:

Planes have been held up once everyone is aboard because of the quotas established for the number of disabled on board. Announcements have been made to those aboard that the disabled are the cause of the delay. References have been made regarding the disabled person as "the wheelchair", not "the person" - i.e. "We have a wheelchair for pre-board." (Appendix BB)

Insensitivity may also manifest itself in attempting to be overly helpful rather than respecting the independence that a disabled passenger possesses:

Staff should understand that most persons, disabled or not, want and need to be as independent as possible. They should know, in most cases, when and when not to assist. They must be informed that just because someone is not in a wheelchair does not mean they are not handicapped. They should be trained to deal with all types of disabilities. This may alleviate a lot of the anxieties and problems of the disabled traveller. (Appendix CC)

Overly helpful airport staff who persist in assisting self-reliant disabled persons, even after being informed that assistance is not required, are embarrassing to the disabled traveller. Assistance, when required, is appreciated. Assistance, when not required, is resented. (Appendix DD)

Individual needs vary. Making assumptions based on the nature of the handicap takes away from personal preference, and can be awkward and insulting. Questions can help airline staff to better assist disabled travellers in boarding, transferring from a wheelchair to a seat, eating, and generally feeling more comfortable. A blind person mentioned that an airline employee once insisted that his guide dog follow behind while being escorted. The airline employee was not able to provide a common sense explanation for his request and was obviously following "procedures". In this case, however, the dog was trained to go ahead even if the escorting was being done by a human. This same blind person also resents being forced to sit behind the bulkhead when he flies because in his opinion there is just as much or more room for his dog in a regular seat (without impinging on the space of other passengers). He can understand not being permitted to sit by an emergency exit but not being subjected to mindless procedures just because he lost his eyesight. (Appendix EE)

Insensitivity is not limited to airline personnel. In fact, carrier personnel are more likely than most people to be aware of the special needs imposed by disabilities because of their more frequent contact with passengers. Indeed, this frequent interaction has generated these responses in the submissions. As indicated earlier, a number of positive examples could also be cited.

Another facet of the problem is inconsistent treatment:

It has been brought to my attention that certain personnel working for Air Canada will not pick up disabled persons, citing union rules as the reason. In addition, other personnel have refused because there was no support person with the individual concerned. (Appendix FF)

There is a special need to be aware of "hidden disabilities":

Learning disabled persons may have difficulty processing visual information, which will give problems with airline timetables, and the TV monitors with flight information. Learning disabled

persons may have difficulty processing auditory information, which will give them problems receiving instructions in the presence of high background noise levels that often exist in air terminals. Most learning disabled persons will not possess all the above disabling conditions at the same time, but it can happen and hence the more deficits the greater the problems. One problem learning disabled persons have when travelling is that outwardly they appear normal (we call it an invisible handicap), and their seemingly simplistic requests for assistance often prompt impolite comment. (Appendix GG)

Problem-identification is an important skill that must be developed through training programs.

Other submissions called for the special awareness required to deal with specific disabilities:

Staff should receive an orientation about hearing impairment so that they are comfortable with the hearing-impaired individual and not fearful of attempting to communicate. The orientation will also teach them about the impact and implications of a hearing loss.

An example of the need for orientation about hearing impairment is as follows: A mother takes her deaf teenage daughter to the airport. She goes up to the flight attendant and informs her that the young woman is deaf and requires some special attention. The mother is reassured that the attendant will take care to alert the daughter of any changes or delays and will have the daughter pre-board the aircraft. The mother and daughter sit down to wait. After a while, the mother hears the daughter's name announced over the loudspeaker, asking her to come forward for pre-boarding. Obviously, the girl could not hear the announcement. The airline personnel did not make the connection that because she was deaf, she would not hear the announcement. (Appendix HH)

It is necessary for airline personnel to be aware of epilepsy and the first-aid techniques used in the management of seizures. Continuing education in this area is essential. (Appendix II)

Such personnel should be made aware of the special needs of blind and visually impaired persons and receive basic information to enable them to more readily meet these needs. Such a sensitivity training program should be established as a mandatory part of

initial training for all air carrier service personnel.
(Appendix V)

Many of these areas are covered in some of the existing training programs.

We also received specific suggestions on the nature and content of training courses that should be required:

1. A basic introduction to disability - what disability means.
2. The basic human rights of disabled people - emphasizing respect and dignity.
3. Communication, self-reliance and self-determination of the disabled - emphasis on not being afraid to communicate with a disabled person.
4. Basic lifting techniques, e.g., bend your knees, not your back.
An organization such as COTA (Community Occupational Therapy Associates) could be contracted to provide this type of training.
(Appendix JJ)

A basic nursing assistant or orderly training course should be essential. If this is not possible, the airlines should run their own 2-3 week course in transporting, transferring and working with the disabled. (Appendix CC)

Staff should be exposed to sign language classes so that they have some basic signs that can be used with a deaf traveller. They should be aware of the best way to communicate with a hard-of-hearing person such as facing the person directly, not exaggerating their lip movements, not shouting, etc....(Appendix HH)

The suggestion to include some instruction on human rights principles is valuable. Airline personnel cannot be expected to become human rights lawyers. However, they should have a basic awareness of the "equality rights" provision in the Charter, an understanding of the significance of "reasonable accommodation" and a familiarity with the accessibility standards ultimately adopted. This would form a reasonable, manageable component of an education and training program.

The most innovative submission we received was from the Mouvement des consommateurs handicapés du Québec inc. It was an audio-visual presentation depicting, with considerable impact, many of the barriers that the disabled traveller might encounter. Such audio-visuals could be a valuable supplement to training programs.

In light of the foregoing discussion, there should be an accessibility standard that covers employee education and training. The programs ultimately established by law must be reasonably comprehensive, and the Air Transport Association of Canada Training Specification might be a good starting point. *However, such programs should not be overly ambitious. Cost is significant, and it would be better to have a modest but effective program for all employees who deal with the public than to have a sophisticated program available only to a few. As one disabled consumer informed us: "I just want access. I don't want to be diagnosed and treated."

Much can be covered quickly if the training focuses on the most relevant areas of interaction between employees and passengers. The carriers should have considerable flexibility in developing their own programs, although some sharing of resources between airlines would seem advisable. A system for "refresher" and "up-dating" education should be included as part of such programs. Direct consultation with disabled consumers and professional associations is obviously important. The Air

*See also Air Canada's "Special Passenger Processing" procedures (Appendix N).

Accessibility Standards Committee recommended in Chapter Two might be a valuable forum for assessing proposed education and training programs.

Recommendation: (1) An accessibility standard should be adopted requiring air carriers to develop a program of education and training for all personnel who deal with the travelling public, containing appropriate instruction about the reasonable accommodation of travellers with mental and physical disabilities.

(2) The program shall be submitted to the Minister within three months for approval.

(3) All personnel employed when the standard comes into force shall participate in the program within one year.

(4) All personnel employed afterward should participate in the program during the initial training provided to new employees, and not later than four months from when their employment begins.

E. Public Education

Corresponding to the need for better education and training for air carrier personnel is the need for greater knowledge and understanding by all travellers but particularly those with disabilities. The Transportation Development Centre of Transport Canada has published a valuable collection of information and advice for travellers in all modes, A Guide to

Travellers with Special Needs. A seemingly minor suggestion, such as choosing direct flights to avoid changing planes en route, can greatly increase the comfort and convenience of passengers with limited mobility. One correspondent, responsible for arranging the transportation of children with disabilities, selects flight times in the "off-peak" periods. This practice benefits both the air carrier and the traveller.

The adoption of accessibility standards in all modes will require that information of this nature be revised and updated. This material must be effectively disseminated in forms understandable by persons with various disabilities. In addition to disabled travellers and air carriers, others such as travel agents and suppliers will wish to keep fully informed.

There is need for a network to disseminate this information. For example, a mailing list could be established for all disabled persons and associations seeking information on accessibility to air travel. (A list of those who responded to this study might provide a useful starting point.) Carriers might be asked to inform travellers, who identify themselves as having a disability, that they may request having their names added to such a list to receive information in the future.

Recommendation: (1) The Minister of Transport should assume the responsibility for making information on the accessibility of air travel to persons with disabilities available to the public.

(2) Special initiatives should be undertaken for the publication and distribution of such information, and the Air Accessibility Standards Committee should have a formal advisory function in this area.

While air carrier personnel must be sensitive to the needs of disabled travellers, these travellers must be sensitive to the difficulties faced by airline personnel. For example, some non-ambulatory passengers have complained about not being permitted to sit in the less restrictive seats near exit doors. However, they must understand that such restrictions on seating are related to evacuation planning and are part of the reason why more non-ambulatory passengers can now travel unattended on a given flight.

The disseminated information should also explain potential avenues of redress if problems occur. The distribution of such information could also generate a flow of information in the opposite direction. As suggested in Chapter Two, the Air Accessibility Standards Committee should accumulate and analyze information on positive and negative experiences. This information would assist in the continuing process of re-assessing and expanding the applicability of air accessibility standards.

CHAPTER FIVE

SPECIFIC BARRIERS AND STANDARDS

A. Introduction

The issues addressed in this chapter are, generally, those raised repeatedly in the submissions as well as in earlier reports and proceedings. Some of the airlines already have solved certain specific problems, but considerable inconsistency remains. Even where an airline has adopted an adequate procedure for dealing with a particular problem, that procedure occasionally may not be followed, thereby creating uncertainty and difficulty for passengers. The elimination of these two impediments is the basic objective of developing accessibility standards.

Some of the specific problems, and suggestions to solve them, relate to air terminal facilities. These fall within the authority of the airport operator rather than that of the air carriers. For air terminals, there may be a much less urgent need to adopt accessibility standards in the form of regulations, because Transport Canada operates most major Canadian airports and has adopted some internal standards. Since this problem is largely one of capital expenditure, the key challenge is to develop and implement an appropriate plan of adaptation over a reasonable time frame.

As indicated earlier, Transport Canada's efforts to increase air terminal accessibility are under review by Professor Falta. The information and suggestions that we received concerning air terminals were forwarded for her consideration.

Cost is also a factor in complying with the standards recommended in this chapter. However, no attempt was made to quantify those costs other than to conclude that the air carriers and travelling public could be reasonably expected to absorb them. In reaching this conclusion, we considered that: (1) these standards will initially apply only to aircraft seating sixty or more passengers (cost considerations will have to be addressed more specifically when the standards are extended to smaller aircraft); (2) many of the standards have been adopted by some carriers, at least on occasion, so that application is largely a question of guaranteeing consistency and certainty; (3) a considerable consensus on these recommendations was achieved during the course of the consultation process.

Recommendation: The accessibility standards proposed in the sections which follow should also be adopted, to the extent possible, as regulations under both Part I and Part II of the Aeronautics Act and under section 19.1 of the Canadian Human Rights Act.

B. General Responsibility

In defining more precisely the degree of accommodation for air travellers with disabilities, it is also important to delineate exactly where the responsibility for providing such accommodation lies.

Transport Canada has responsibility for passenger services connected with its air terminals. This includes facilities for parking, arrivals, entry and movement within the terminal as well as the regulation of those who provide services within the facility. Air carrier responsibility is generally considered to commence at the terminal door or ticket counter and to include baggage handling (through "skycaps" in larger terminals). Transport Canada responsibility for facilities generally ends at the exit door leading to aircraft, except where the department owns loading bridges or passenger transportation vehicles. Where no loading bridges are available, Transport Canada is responsible for ensuring that the apron is safe, but carriers are responsible for conducting passengers safely to the aircraft.

In practice, the responsibilities of the airport operator and the air carriers overlap considerably. From the ticket counter to the door of the aircraft, there is a "concurrent" responsibility. Transport Canada (or other airport operator) is responsible for facilities, while carriers are responsible for passenger service. There are also areas of uncertainty. For example, in the absence of loading bridges, there is no lifting device completely acceptable for lifting non-ambulatory passengers to the level of aircraft doors. Air carriers are responsible for boarding their passengers,

but loading bridges and lifting devices could be described as facilities. More clearly allocated responsibilities would facilitate the development of appropriate equipment, as well as the improvement of systems and procedures. The travelling public would also benefit from knowledge as to exactly where responsibility lies.

Recommendation: (1) Except as stated elsewhere in these regulations, the responsibility of air carriers to provide reasonable accommodation for travellers with disabilities shall commence when the passenger is to be met or first appears at the ticket or "check-in" counter and continue until normal baggage retrieval at the destination.

(2) The airport operator shall assume responsibility for providing all reasonable accommodation of disabled passengers in relation to air terminal facilities.

The general level of service to be provided by air carriers was discussed in relation to the issue of self-reliance. It was suggested that travellers with disabilities should be entitled to receive additional assistance, so long as the amount of assistance is not extraordinary. It would be useful to articulate this general obligation in the regulations, and to state the functions for which assistance clearly is and is not required. While all possibilities cannot be anticipated, greater certainty can be established. As well, some benefits might be gained in assessing new situations by analogy.

One correspondent suggested that the general obligation of the air carrier should be broadened:

Flight attendants could easily be trained to transfer, empty a leg bag and assist with feeding. At this time they can be found spending a lot of time making "normal" people feel comfortable, placating drunks, helping with babies' needs. They will transport young children unattended and often do an excellent job. (Appendix KK)

Indeed, the submission from the Canadian Air Line Flight Attendants' Association stated:

In the case of a passenger who is partially ambulatory, often a flight attendant carries that person to the washroom, assists in the washroom and carries the individual back to her/his seat. (Appendix R)

However, there is apparently wide agreement that assistance in actual eating or within the washroom would constitute extraordinary care. The main problem with eating is time. Health considerations (and regulations) render direct washroom assistance incompatible with food-handling.

Sometimes, even providing minor assistance can create service problems, especially when the demand is high and the service is required during a "peak" period. However, difficulties could also occur when there is an unusual number of babies or drinkers on board. If the provision of reasonable accommodation for disabled passengers occasionally diminishes the capacity of airline personnel to provide the fullest service to all passengers, then that must be accepted as a normal part of air travel (together with occasional air turbulence or the confluence of other circumstances which also may compromise full service.)

Recommendation: (1) Air carrier personnel shall provide special assistance of a minor nature but are not required to provide extraordinary care.

(2) In particular, air carrier personnel are not required to provide: (a) assistance in actual eating; (b) assistance within a washroom; (c) nursing or medical care except in an unforeseen emergency.

(3) In particular, air carrier personnel shall provide: (a) assistance in preparation for eating, such as opening packages, identifying food and cutting meat; (b) assistance in moving to and from washrooms; (c) assistance in loading and retrieving baggage; (d) supervision for developmentally handicapped travellers under the same conditions and to the same extent as for children; (e) special meals on 24-hour notice; (f) refrigeration of medication.

Air carriers now accommodate passengers with "non-routine" disabilities, such as persons who must be transported by stretcher and those requiring continuous oxygen supply. Both situations are covered in Air Canada's "Special Passenger Processing" procedures (Appendix N), which also deals with incubator babies and kidney patients (hemodialysis).

We received very few submissions concerning such non-routine disabilities, although the Canadian Lung Association wrote specifically to recommend that, where personal oxygen is supplied:

... the flow rate of oxygen should be determined by the patient's physician in accord with the guidelines provided in the CTS Statement on Air Travel. (Appendix LL)

In the past, passengers have attempted to bring personal oxygen supplies aboard aircraft. However, Transport Canada prefers that air carriers provide their own supplies, which are subject to safety inspection by Transport Canada officials.

For all of the circumstances mentioned above, we believe that, for now, the requirement to provide accommodation for "non-routine" disabilities should be expressed only in general terms. Once the service is provided, its regulation appears to be dominated by safety rather than service considerations. It is reasonable to require adequate notice of the need for these special services.

Recommendation: Air carriers shall provide reasonable accommodation to passengers with non-routine disabilities, in accordance with Transport Canada safety regulations, on 48-hour notice.

C. Information, Reservations and Advance Notice

1. Communications Generally

Since the ability to communicate and receive information may be affected in many ways, the presence of learning disabilities, as well as impairment of hearing, sight and speech, must be taken into account. Communication of needs and information is necessary at three phases of air travel. The first is when obtaining information and making reservations,

normally over the telephone. The second phase is at the airport, before and after flight. The third is during the flight itself. A combination of personal communication, printed material and signs, public address systems and visual display terminals are all used during these phases.

Recommendation: Air carriers shall provide persons having non-extraordinary communication disabilities with prompt access to important information, including services available, reservations, flight delays, schedule or gate changes, emergency procedures and, insofar as possible, information during emergencies.

The Transportation Development Centre addressed this general area in Communication Aids for Travellers With Sight/Hearing/Speech Disabilities.^{*} As to the preliminary stage of obtaining information and making reservations, the greatest technological advances appear to be occurring in relation to hearing impairment. In addition to telephone equipment which is designed for compatibility with hearing aids, special telephones with teletype capability are being used more widely, creating an entirely new communication network for voice-impaired, hearing-impaired and deaf persons.

Air Canada is the only air carrier in Canada which has such a teletype reservation and information service. It is provided through a

^{*} Prepared by IBI Group. December, 1982.

toll-free number at a central point in Canada. At present, usage is approximately 1½ hours and 5 calls a day. While this may not seem high, the network is at an early stage of development. As each service provider joins the network, there is an increased advantage for additional consumers to join as well, thus creating a growing momentum for expansion.

The provision of such a service by all major carriers may not yet be justified on a cost-benefit basis. The Canadian Transport Commission has tried to encourage carriers to acquire this capability, but without much success. The Transportation Development Centre also recommended the adoption of such a service for all major carriers and concluded that no change in staffing levels would be required. We believe that all carriers to whom these proposed standards would apply, should have to make the service available. A common system amongst air carriers (either with Air Canada or separately) would be satisfactory at this stage. The main objective is to provide access to all carriers to whom these standards apply.

Recommendation: A telephone-teletype capability shall be adopted by all carriers, either individually or in common with others, to provide information and reservations to voice-impaired, hearing-impaired or deaf persons.

The issue of appropriate education and training of carrier personnel is relevant to the interpersonal communication required during the air terminal and flight phases. In addition, there is a need to ensure

that visually presented information is also communicated to the sight-impaired and that information presented orally is communicated to the hearing-impaired. We received suggestions for blinking lights in terminals and on airplanes to alert deaf passengers to important information. Use of video-screens or other information displays on aircraft was also suggested. Similarly, a sound device might be adopted to alert blind passengers that new information is being presented on such screens. One correspondent suggested that on-board information be provided in writing as well as over the "intercom" system; passengers would be able to specify, when making reservations, which service they would like to receive. Further analysis and experience will lead to more detailed standards in these areas.

2. Advance Notice

Advance notice of any special needs can greatly assist air carriers in providing service. Notification from non-ambulatory travellers will be especially relevant to the number limits discussed earlier. However, in the past, some carriers have established advance notice requirements for the carriage of disabled passengers who require no special assistance.

Recommendation: Disabled passengers shall not have to give advance notice unless they require special services such as assistance in boarding and deboarding. In this case, 48 hours notice shall suffice. Where such notice has not been given, the carrier shall make reasonable efforts to provide accommodation.

When a traveller with special needs makes a reservation with a major airline, information on the nature of the disability and the special services required is entered into a computer. When special passengers are expected to arrive at the terminal, a customer service representative will meet them at the curb and arrange porter service and assistance at check-in, security clearance and boarding, as required. However, there apparently is no effective system for following through requests to accommodate special needs during the entire journey, which may involve a series of arrivals and departures.

One correspondent outlined the following experience:

Recently I went to Florida by air ... At the time of making my reservation I requested pre-boarding assistance at all places, a wheelchair in each place and assistance with meals on flight. I had to go to Halifax, Montreal, Boston and West Palm Beach. The travel agent assured me all my requests were made and confirmed yet my ticket showed it to be no different from one who had not made these requests. (Appendix MM)

The requests were repeated on arrival at the airport in Charlottetown and assurances were provided. However, at each destination - Halifax, Montreal and Boston - no one knew anything about them.

On the return flight, another airline provided a much more satisfactory procedure:

I again made my requests on checking in and they provided me with a copy of a three-part form which showed my name, connecting flight numbers, destination seat number and outlined my requests. I simply gave it to the attendant who met me in Boston and this person passed it on. Each new set of attendants ... knew my needs ... the information is telexed ahead and a copy goes with the ticket.

VIA Rail has a similar system where special services requested are printed out on the passenger ticket. This confirms to the traveller that the service has been guaranteed and alerts all employees who see the ticket.

Pacific Western Airlines informed us that:

A special alert system has been developed in our passenger processing system to respond to the needs of the disabled passengers from the time a reservation is made to the time the disabled passenger departs from our system. (Appendix NN)

However, we did not have sufficient opportunity to obtain more details about this system. The Transportation Development Centre has recommended the coding of tickets to identify the special needs of communication-impaired travellers.

Recommendation: Air carriers shall adopt a system of identifying, on the passenger ticket or a related document, any special needs of the passenger. Such information shall also be transmitted to the next destination.

3. Advance Seating

For passengers with some disabilities, the nature of the assigned seat largely determines the degree of comfort during the trip. That is also true for other passengers with special needs, such as unusually tall persons or mothers with infants. Front-row or bulkhead seats are particularly important to many because of the increased leg room, and the availability of aisle seats close to washrooms is important in relation to some disabilities. Submissions pointed out a number of difficulties in seat selection. For example, the most accessible seats may be assigned to other travellers before disabled travellers can reserve them. The variety of

aircraft types means that different rows provide better accessibility on different airplanes, making it difficult for travellers to request appropriate seats.

Front-row seats may have been designated for a special class of service at higher rates and, therefore, will not be available to a disabled passenger flying at a lower fare. If disabled passengers are permitted to occupy such seats at regular fares, they should not be entitled to all of the corresponding services. Nevertheless, some carriers do provide these as a matter of courtesy.

Recommendation: (1) Air carriers shall designate those seats on all aircraft, including bulkhead seats and those with moveable armrests, which provide greater accessibility for disabled passengers, subject to Transport Canada safety requirements.

(2) Such seats shall be available for reservation on 48-hour notice to accommodate passengers with relevant disabilities or other special needs.

(3) Such seats shall not be assigned to other passengers until 48 hours prior to flight time.

(4) Such seats shall be available for this purpose at reduced fares, even though the section of the aircraft within which they are located has been designated for a higher standard of service (but below "first class") at a higher fare.

Various comments were received about seating. Apart from the desirability of bulkhead and aisle seats, these concerns related to what was

perceived as arbitrary seat allocation. One unfortunate incident was described in detail by the Paralympic Sports Association. (Appendix 00) Another submission reported the embarrassment of two deaf women who were required to move out of seats near an emergency exit. Rule 33 (C) of the Local and Joint Passenger Rules embodies a Transport Canada safety regulation which prohibits disabled passengers from occupying seats in designated emergency exit rows. However, no attempt is made to relate the disability in question to the ability to evacuate.

An experienced blind traveller related her frustration at being required to sit in a bulkhead seat when accompanied by her dog guide. She is satisfied that there is more room for the dog and less inconvenience to other passengers if she is in an ordinary seat.

However, it should not be readily assumed that a particular seating allocation is arbitrary. For example, a deaf person may have no less difficulty than others in moving through an exit doorway. Yet Transport Canada also considers the capacity to react to oral commands of a cabin attendant - when to open an exit, when not to do so (during a fire), etc. The capacity to respond - when a door is "jammed" - may also be crucial.

There are other special considerations. Passengers with some disabilities should not be seated at the rear, because it is easier for them to become misdirected when moving from the aircraft.

Eventually, these various considerations should be brought together as a detailed accessibility standard on seating. However, since the key factor is safety, Transport Canada should further study these specific seating questions in relation to its existing number limits and

planning for the seating of non-ambulatory passengers. Guidelines should be developed relating safety in seating to specific disabilities. In considering the imposition of any seating requirements, it is important to ensure that the kind of disability is actually relevant to seat allocation and to the particular allocation which follows.

In fairness to all passengers, if a disability is not relevant to a particular seat allocation, then special consideration should not be provided. For example, a deaf person may have no special need for a bulkhead seat, yet an aisle seat could be important in communicating with flight attendants. Any member of the travelling public should then have the same access as the deaf traveller to a bulkhead seat but not to an aisle seat.

The development of more precise guidelines in this area, then, should proceed in conjunction with the re-assessment of Transport Canada's number limits as recommended in Chapter Three.

4. Available Services

The Mayor of Edmonton raised the issue of airline information and reservation services in relation to ground transportation at the destination:

An area of inter-city and rail transportation that still needs attention is in the pre-arrival arrangement of intra-urban transportation. This is especially critical in cities such as Edmonton where wheelchair equipped van service is in limited supply and requires pre-booking to ensure a high level of service for visitors. Actual inter-city carriers such as VIA Rail and/or Air Canada could be encouraged by the Federal Government to provide such an advance booking arrangement in much the same manner as a travel agent. City of Edmonton Transportation Department staff are currently in review of the Edmonton International Airport with local Transport Canada staff. (Appendix PP)

Such a service would greatly benefit some disabled travellers and would not impose a great burden on carriers.

Recommendation: When an air carrier information and reservations concerning services at the destination, these shall include ground transportation services available to travellers with disabilities.

D. Boarding and Deboarding

1. Pre-Boarding

There appears to be general agreement on the practice of boarding disabled passengers first and asking them to remain seated for disembarkation after all other passengers have left. Such a practice ensures dignity, safety and efficiency in boarding and deboarding.

The practice still must be administered with discretion. For example, a person's disability may affect the communication of information but not the ability to board and deboard in the same manner as any other passenger. In the United States, the standard practice of carriers insisting on pre-boarding blind passengers has been criticized.

However, pre-boarding is not merely movement from the terminal to the airplane. It also provides an opportunity for a personal orientation as to flight and emergency facilities. The Canadian Air Line Flight Attendants' Association described this service:

Prior to takeoff, provide a safety briefing for blind passengers; take them to the nearest emergency exit and show them how to count the number of seat rows to the nearest exit. In the case of non-ambulatory passengers, discuss with them the best means of access to an emergency exit. (Appendix R)

The quieter period before other passengers arrive may also permit a detailed description of the cabin interior so that blind passengers may have a better "feel" for their surrounding environment.

It may be preferable simply to make travellers with disabilities aware of the advantages available on pre-boarding and permit the passenger to decide. An experienced traveller, particularly when travelling with others, may be aware of the aircraft features and prefer to forego the orientation.

Recommendation: Following pre-boarding, air carriers shall make available to passengers with disabilities an orientation as to safety features and other services available.

Other submissions covered other aspects of pre-boarding. One suggested that a special area should be reserved for wheelchairs in terminal waiting areas prior to boarding, but others said such a practice is undesirable. Another described how he was once unable to pre-board because the attendant had simply scanned the waiting area for visual signs of persons in need of pre-boarding. Finally, one correspondent pointed out that the necessity of pre-boarding prevents some younger people with disabilities from taking advantage of youth "stand-by" fares.

A number of improvements are possible. For example, those who will pre-board could be identified at check-in so that the attendant will know the exact number. Perhaps a special arrangement could be made for

disabled youth to enjoy lower "stand-by" fares. However, these issues do not appear to require formal regulation. They should be approached through administrative practices rather than a specific standard at this time.

2. Lifting Devices

Non-ambulatory passengers in air terminals without loading bridges may have to be carried up the aircraft steps. (Mirabel Airport was designed for dedicated passenger transfer vehicles rather than loading bridges.) However, this is unsafe for the passenger and for carrier personnel. Normally, a mechanical lifting device, most commonly a "forklift", is used to elevate the passenger and the wheelchair to the aircraft door. Occasionally, a food catering truck may be used.

Special pallets are placed on the forklift, and sometimes protection from adverse weather is provided. However, we received submissions criticizing this method of boarding as undignified, uncomfortable and unsafe:

Persons with multiple sclerosis using wheelchairs have indicated problems and "frightening" experiences with boarding and deplaning in Thunder Bay, Victoria, Saskatoon, and Regina. (Appendix QQ)

The Transportation Development Centre conducted some preliminary work on this problem and concluded:

Based on survey findings ... no current mechanical boarding device meets the varying needs of carriers, airport authorities and wheelchair passengers ... Methods of boarding wheelchair passengers at small and

remote Canadian airports are generally perceived as acceptable by the carriers and airport authorities. Equipment and procedures are not sophisticated and the disabled passenger does not have high expectations.*

One factor which inhibits the development of a more suitable vehicle is the installation of loading bridges in new airports (and in older ones as they are expanded and renovated). Rather than investments in the development of a new vehicle, these bridges are seen as the ultimate solution for major terminals.

Another problem is blurred responsibility:

In the majority of cases, the airline is entirely responsible for the boarding of wheelchair passengers. However, there is some debate concerning the responsibility for the supply and maintenance of boarding equipment. Is it reasonable to expect the airlines to provide dedicated equipment, at each airport served, for infrequent boarding of wheelchair passengers.*

The mechanical lifting devices discussed here are more closely related to the air terminal than to the operations of various air carriers. In effect, they are a compensatory device for loading bridges, which are related to terminal design. Thus, Transport Canada should assume clear responsibility for providing such devices, for use by air carriers on a similar basis, to other air terminal facilities.

Recommendation: Transport Canada shall provide loading bridges or appropriate mechanical lifting devices to air carriers at all major and medium-size airports for boarding non-ambulatory passengers in a reasonably dignified, comfortable and safe manner.

* Ibid, at p. 20.

With this responsibility, Transport Canada can permit a reasonable balance to be established between the adaptation of airport facilities and the adoption of this alternative procedure. A decision should be taken immediately whether to develop totally dedicated equipment or to develop more sophisticated adaptations of the existing equipment.

3. Wheelchair-Handling Procedures

Wheelchairs are highly personal. Many correspondents said that being required to use another wheelchair is like having to wear another person's shoes. Thus, in the interest of safety as well as comfort, non-ambulatory passengers must be permitted to remain in their wheelchairs as long as possible.

At one time, passengers had to check their wheelchairs and transfer to others until the passenger was seated on the aircraft. Another was provided at the destination until the passenger's chair was retrieved. More recently, airlines permit the passenger to remain in the wheelchair right to the aircraft seat. If the passenger has been assigned a bulkhead seat, the transfer can often occur directly, since the aisles may be wider to that point. The passenger's chair is then stored as the last item in the hold, and it is the first retrieved on arrival. The passenger transfers into his or her own chair once more and proceeds through the terminal building.

This procedure is not only efficient and safe, but it also reduces passenger anxiety. To have a wheelchair lost with luggage and not be available on arrival can be extremely inconvenient and even traumatic. Handing the chair directly to a ground attendant also permits the passenger to convey last-minute instructions on storage and the need for care.

Although air carriers have recognized this problem and have adopted an appropriate procedure, the measures are not applied consistently. An arbitrary decision by a carrier employee can create considerable hardship for the passenger:

It is a problem when ground crews require a disabled person to get out of their own chair and use a chair provided by the airlines until flight time. A wheelchair is a very personal item designed to meet the needs of the individual. The airlines' chairs are difficult, uncomfortable and dangerous. For example they do not have straps on the back of the footrests. Many times passengers have suffered injury when their foot slips back and is caught by the heel. (Appendix H)*

Another recurring problem is delay in having a chair returned.

Recommendation: Passengers shall be permitted to remain in their wheelchairs to the aircraft seat, where space permits. Where space does not permit, they shall be entitled to remain in their own wheelchairs to the aircraft door before transferring to a narrower aisle wheelchair for seating. Wheelchairs shall then be stowed as the last baggage on board and retrieved as the first baggage off the aircraft, and be returned to the passenger promptly.

* See also Appendix O.

There are many types of manually operated wheelchairs that become relatively small when folded. Where space is available, flight attendants frequently permit these wheelchairs to be stored in the passenger compartment. Since the passenger with the wheelchair will pre-board, space may be available for one or more wheelchairs in the cabin area, especially on originating flights of larger aircraft. Any standard in this connection will have to be discretionary, because the procedure will depend on available space. Eventually, space might be dedicated specifically for this purpose (but made available for other use when not used for wheelchair storage).

Recommendation: Carriers shall stow folding wheelchairs in the passenger compartment, where possible, in accordance with Transport Canada safety requirements.

Almost all electric wheelchairs use a "wet cell" battery, which is hazardous to transport by air because of potential acid spill. In the past, the owner had to leave one set of batteries behind and arrange for another set to be at the destination. Newer "gel" batteries are now available, but they are more expensive, and less efficient, so it may be many years before wet-cell batteries are replaced completely. Air carriers can transport wet-cell batteries installed in wheelchairs on wide-body aircraft such as the B-767, B-747, DC-10 and L1011. However, such batteries require special packaging and handling for carriage on narrow-body aircraft such as the DC-9, B-737 and B-727.

In response to this problem, Air Canada developed a kit for the safe transport of wet-cell batteries. The kit was tested in-service, approved under Transport Canada's safety regulations and adopted for use by Air Canada. The Canadian Transport Commission has written to all major carriers asking them to adopt this procedure as well. However, only Eastern Provincial Airways, Quebec Air and Air Ontario appear to have added this service to date. This area clearly requires an accessibility standard.*

Even where the newer batteries are used, problems may persist. We received one example where handlers insisted on treating a non-spillable gel battery as though it were a wet-cell battery, thereby creating problems in making the chair functional on arrival. Reports were also received of passengers with limited mobility being left to attempt to re-assemble their wheelchair on arrival, without assistance.

Recommendation: (1) Air carriers shall accept electric wheelchairs as baggage on all aircraft and shall provide handling of their wet-cell batteries in accordance with Transport Canada regulations.

(2) When batteries have been removed, or other changes made to wheelchairs accepted for storage, the wheelchair will be returned to the passenger in its original, operational condition.

Some carriers have recognized the serious consequences of loss or damage to a wheelchair, and have adopted measures both to avoid the problem and to deal with those consequences. However, we were told that "rough"

* See, for example, Appendix RR.

handling of wheelchairs continues to occur from time to time and that the response, when repairs or replacements are required, ranges from being superb to indifferent.

The Transportation Development Centre has studied the prevalent causes of damage to wheelchairs and has examined various protective containers for them during handling. Air Canada has adopted a special plastic wheelchair bag. It has introduced top-priority tracing of mishandled wheelchairs and makes available another wheelchair on loan at no cost. A quick repair service is also provided at major airports. Finally, normal carrier liability for damages has been waived in relation to lost, damaged or delayed wheelchairs. Other carriers have adopted these services to varying degrees. (All these provisions apply equally to other mobility aids such as crutches and walkers.)

Recommendation: (1) Air carriers shall provide, promptly, a suitable, temporary replacement for wheelchairs or other mobility aids damaged or lost while in the carrier's possession.

(2) Air carriers shall provide a repair service, either individually or in common, for prompt repairs to wheelchairs or other mobility aids damaged while in their possession.

(3) Damage to wheelchairs or other mobility aids shall not be subject to the maximum liability applicable to other passenger baggage. If these aids are lost or damaged beyond repair, compensation shall be sufficient to purchase a new chair (or other mobility aid) of the same make and type.

4. Other Mobility Aids

Rule 33 (F) of the Local and Joint Passenger Rules permits the passenger to retain crutches or canes so long as they can be stowed safely in the cabin. It may be important for passengers to have such mobility aids during flight.

Recommendation: Passengers shall be permitted to retain canes, crutches and other small mobility aids except during take-off, landing or periods of turbulence, when they must be safely stowed.

Rule 33 (G) deals specifically with dog guides:

Carrier accepts for transportation without charge a properly harnessed dog trained to lead the blind and/or assist the deaf, when it accompanies a passenger with impaired vision / hearing dependent upon such dog. The dog will be permitted to accompany such passengers into the cabin, but will not be permitted to occupy a seat.

The seating of passengers with dog guides was raised in section C, where it was suggested that Transport Canada examine more comprehensively the safety consideration related to seating passengers with disabilities. The only other issue was the occasional insistence that dog guides be muzzled during flight. This measure seems unduly arbitrary, because these dogs are so highly trained and disciplined.

Recommendation: Air carriers shall transport, without charge and without muzzling, a properly harnessed dog trained to lead the blind and/or assist the deaf when it accompanies a passenger into the cabin. The dog shall not be permitted to occupy a seat.

E. On-Board Facilities and Accommodation

1. Flight Information

The proposed orientation following pre-boarding will help to familiarize the blind passenger with the aircraft and emergency procedures. However, there is considerable additional information contained in the seat pockets. While some blind persons use braille, others must rely on audio tapes.

Recommendation: All printed emergency procedure information available in the seat pocket for each passenger shall be available on request in braille, large print and on a tape recorder, together with tactile drawings or graphics of related diagrams.

The Librarian of the Charles Crane Memorial Library at the University of British Columbia recommended the adoption of raised tactile signs on emergency exits and washroom doors. Considerable detail was provided as to the exact form that such signage should take (Appendix I). However, no other submissions were received along these lines and, in the limited time available, we could not determine the need or expense related to this recommendation. The adoption of tactile signage should be an agenda item for the proposed Air Accessibility Standards Committee.

Similarly, consideration should be given to steps taken to enhance the enjoyment of deaf passengers. Communicating points of interest and other announcements by the Captain in a visual form can do much to enhance enjoyment of the trip (Appendix SS). Close-captioned, in-flight films could also be selected.

2. Accessible Washrooms

The design of most aircraft makes accessible washrooms a practical impossibility. Nevertheless, the outfitters of new aircraft, such as the Boeing 737-300 and 767 models, are now making accessible washrooms available to air carriers. Canadian carriers are choosing to have these included.

Recommendation: (1) An accessible washroom shall be provided on all new aircraft where available, and retrofitted on existing aircraft where feasible.

(2) Such accessibility shall include: (a) accommodation of wheelchairs; (b) assist rails or "grab" bars; (c) lever handles for taps and sink drains; (d) accessible door handles and locks; (e) elevated toilet seats.

3. Moveable Armrests

Moveable armrests can be extremely important to the non-ambulatory passenger transferring from a wheelchair to a seat. However, they may also provide greater comfort and convenience to all passengers. Rigid aisle arms were once considered to be a safety factor. However, with current designs,

armrests that flip upward and align with the seat back for entry and exit, are just as safe when locked into place.

In Canada, air carriers have been installing some moveable aisle seats during major cabin refitting. However, moveable arm rests would be desirable on all seats, and there may be a trend in that direction. Scandinavian Airlines System was the first carrier to equip its entire fleet with moveable aisle armrests. That would also be a desirable goal for Canadian carriers, to the benefit of all passengers.

Statistics Canada estimates that approximately three per cent of the population have disabilities affecting transportation. Since retrofitting seats is expensive, it would be reasonable to impose this requirement on only five per cent of seats at the outset.

Recommendation: (1) All new aircraft shall be fitted with moveable aisle armrests.

(2) Existing aircraft shall provide moveable armrests on at least five per cent of aisle seats.

4. Wheelchair Service

A number of correspondents wrote about the need for a narrow wheelchair for use to and from washrooms on longer flights. The Canadian Air Line Flight Attendants' Association stated that:

Air Canada has been experimenting with collapsible wheelchairs on wide-bodied aircraft, to assist passengers in washroom access. These

have proven very helpful, and we suggest that each major passenger-carrying aircraft be equipped with a collapsible wheelchair. (Appendix R)

The need would be infrequent on shorter flights, while the burden on air carriers would be greater. The question then is to define the length of flight for which this service should be required. In light of our consultations, it would be reasonable to require this service for flights longer than two and one-half hours.

Recommendation: Where an accessible washroom is available, an "on-board" wheelchair shall be provided to assist non-ambulatory passengers in moving to a washroom, where the flight time is more than two and one-half hours and 48 hours notice has been provided.

5. Miscellaneous

Additional problems were raised and suggestions made, but it is not yet clear how these should be regulated by accessibility standards. Again, these should form agenda items for the proposed Air Accessibility Standards Committee. For example:

Many disabled persons have difficulty in handling cups, particularly plastic cups without handles. Cups with handles or straws should be available on every flight on which disabled persons are carried.

It would be useful to assess, generally, whether better accommodation could reasonably be provided in food and beverage services.

One correspondent expressed the need for extra-length seat belts, although seat belt extensions are available on the aircraft of all major carriers. Another pointed out that, in his case, a shoulder or cross-over seat belt was required. Otherwise, he would have little protection from altitude drops because of his stature and could "end up with my head stuck through the ceiling". Finally it was suggested that some form of "grab bars" also be available to seated passengers, particularly in the front row or bulkhead seats. However, these could create a safety hazard.

CHAPTER SIX

CONCLUSION

The term "reasonable accommodation" has been used throughout this report in the broad sense of taking reasonable steps to enable persons with disabilities to participate as fully as possible in every aspect of our society. Some prefer to use the word "accessibility" to encompass the measures taken to remove barriers and to restrict "reasonable accommodation" to the response required when a barrier does exist. We see little value in such a distinction. Accessibility and reasonable accommodation are merely two aspects of the same goal - "accessibility" for the disabled person through "reasonable accommodation" by the purveyor of goods and services. In this sense, reasonable accommodation must permeate all activity - planning, design, construction, training, developing systems and procedures, etc.

The recommendations and proposals in this report address major areas of concern, and do not provide detailed rules to govern every aspect of the reasonable accommodation of passengers with disabilities. A framework and a process have been suggested for continuing to define, develop and administer the concept of "reasonable accommodation" in a rational, consultative and cooperative manner.

The first challenge, then, is to have the principle of air accessibility standards recognized through their adoption as legally enforceable regulations. This will require some adjustment by air carriers, but they have already made considerable progress. Moreover, the existence

of regulations will provide greater certainty. The proposed process will provide an opportunity for direct input into the form that those regulations should take.

The second challenge will be to extend the application of these standards, where reasonable, to other aircraft. The proposed standards in this report would apply to nearly all disabled air travellers. Nevertheless, important questions arise concerning other aircraft such as the short distance take-off and landing (STOL) aircraft, which are beginning to serve larger-density population areas. While they cannot be as accessible as larger aircraft, they should be as accessible as is reasonably possible. There is also a concern that the recent liberalization of the economic regulation of air carriers could lead to increased use of smaller aircraft. It is important, therefore, that this next proposed phase of the development of air accessibility standards be given high priority.

The third challenge is to advance the concept of air accessibility standards on an international scale. If we live in a "global village", we should recognize that air transportation has contributed significantly to that reality. If standards of accessibility mean consistency and certainty, these may be even more important in a distant country than within Canada. Finally, if reasonable accommodation means the opportunity of all citizens to participate with greater freedom and equality, that is because fundamental human rights recognize no global boundary.



APPENDIX A

CANADIAN PARAPLEGIC ASSOCIATION

NOVA SCOTIA DIVISION

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Patrons His Excellency the Right Honourable
Edward Schreyer, C.C., C.M.M., C.D.
Governor General of Canada

The Honourable John E. Shaffner
Lieutenant Governor of Nova Scotia

Allan Green, O.C.
Chairman

Donald E. Curren, C.M., O.C., L.I.D.
Executive Director

April 3, 1984

Hon. Lloyd Axworthy
Minister Transport Canada
Place de Ville
Ottawa, Ont.
K1A 0N5

Dear Lloyd:

Thank you for your welcome letter of March 15th in response to my earlier communication with respect to ensuring good accessibility at the Regina Air Terminal Building, as it is expanded.

Your advice that plans for the expansion of the Regina Air Terminal include installation of three elevators, "one dedicated almost exclusively for use by disabled persons", is heartwarming news, indeed. Having passed through the Terminal a number of times in bygone years, I can well attest to the need and it delights me to learn that this need will soon be met.

Thank you for a copy of the Department's recently announced policy on transportation for disabled persons on "modes of transport under federal jurisdiction". Slowly but surely, we are heading in the right direction and it is to the credit of people such as yourself, for the improvement is long overdue. Having depended upon a wheelchair for mobility since World War II, I can attest to the fact that much progress has been made, particularly during the past 15 years.

One seemingly small, but highly significant point which I would bring to your attention at this time - a) lack of heel straps on wheelchairs used in Air Terminals across the country, b) generally inferior (very poor) standard of such wheelchairs and c) the lack of hand, or propelling rims on most of the chairs in question. For people who are permanent users of wheelchairs and who are required to frequently make use of such chairs, the situation is a deplorable one, filled with frustration on many occasions. This may seem to be a trivial point, however, I assure you it is not!

Thank you again Lloyd, for all you and your Department are doing to improve transportation for disabled persons in Canada on the various modes of transport under federal jurisdiction. Well done!

Sincerely yours,

Don Curren (Ret'd)



The George Reed Foundation For The Handicapped

March 29, 1984.

Mr. E. Ratushny, Special Advisor,
Air Accessibility Standards,
Office of the Honourable Lloyd Axworthy,
Transport Canada,
Ottawa, Ontario.
K1A 0N5.

Dear Mr. Ratushny:

The opportunity to provide input to this discussion on air accessibility standards is most appreciated. Although I have taken almost the maximum time, I feel a continuing need to offer in more specific detail, additional concerns or expanded viewpoints.

Please find enclosed one bound and one unbound copy for your perusal. Do not hesitate to contact me with any questions, comments or concerns you may have.

Sincerely,


Scott Lawson,
Executive Director.

SL/j

A RESPONSE TO BASIC QUESTIONS REGARDING
AIR ACCESSIBILITY STANDARDS FOR THE DISABLED COMMUNITY

March, 1984

Scott Lawson, Executive Director
The George Reed Foundation for the Handicapped

The opportunity to offer comments in this area is certainly welcomed. The George Reed Foundation for the Handicapped addresses the entire scope of handicaps in its goals and objectives and is, as a result, interested in the more overall evaluation of air accessibility standards for the disabled community. Perhaps our contact with most of the various member groups of that community, be they physically, mentally or multiply handicapped, is a problem for us in that we are somewhat obligated to address all viewpoints. This is, of course, a substantial task. I have endeavoured to present my comments, concerns and suggestions from two perspectives:

- (1) From the viewpoint of the George Reed Foundation for the Handicapped, a broad-based and more general representation, and
- (2) From my own personal specific experiences as an "attendant", or support person to physically handicapped athletes travelling by air to competitions held in Canada.

I have first of all listed several questions serving to identify major areas of concern, some of which are additional to those suggested in your office's request for comments which arrived in February.

I firmly believe there will be a progressive adoption of new standards of air accessibility for people with disabilities. We all owe the handicapped, and ourselves, that perseverance. Any change will be expectedly slow and complex because of the multitude of disability types, and the varying degrees of ability within each. There will, indeed must, be constant re-evaluations and changes in direction if we are to accomplish the goals of the current trend. The time has come for people of all ability levels to issue and take up the challenge of equal opportunities for air travel in this country.

I commend you for your commitment and courage. They are valuable tools in this endeavour and are present in most members of the special needs community. Let us apply these tools to the task at hand.

QUESTIONS OF MAJOR PROPORTION

1. What is the philosophy of the "standard" to be?
2. What are the "disabled communities" to be considered in this evaluation?
3. What are the most significant barriers and problems experienced by the various disabled communities in travelling by air?
4. What minimum carrier performance standards would overcome or alleviate such difficulties?
5. What special measures have been taken to date in accommodating disabled passengers?
6. What further changes might be considered by the carriers to accommodate travellers with special needs?
7. What significant problems might be perceived by carriers in accommodating various members of the disabled community?
8. What additional costs might be involved in these new standards of air accessibility?
9. To what aircraft type or flight level should the regulations apply?
10. What carrier vehicle/equipment features should be considered, including ground support vehicle/equipment concerns?

I. PHILOSOPHY.

Generally, the philosophy may be interpreted to be: to ensure people of all ability levels equal opportunity and access to domestic air carriers and air travel in this country.

Members of the "disabled community" should be able to choose air travel as a convenient, dignified and accessible transportation medium.

A common reaction by special needs advocates is to overcompensate in their attempts to provide or encourage such "equal opportunities" for people with different abilities. People with disabilities need to be viewed as competent, capable and "abled" to their individual level. The creation of double standards in areas of ticket prices, bonus situations and double seat availability, for example, may be interpreted by those people without disabilities to be overcompensation. Such standards have been called unnecessary, abnormal and may, in fact, serve to cause disdain in the minds of the able bodied towards people with handicaps. Sport officials who reduce or simply do not apply penalties according to the rules of the game when judging disabled athletes are not doing justice to the competitor. If we can read "..... be allowed personal dignity" between the lines of the philosophical statement, then we can establish standards carefully to ensure the dignified accessibility to air travel by the disabled. I believe those with disabilities will accept such a set of standards as legitimate, and not "token", if the standards avoid creation of undignified overcompensation of physical situations or a-social behaviour.

A sharing of information by travellers and carriers in a cooperative situation might assist in the achievement of a standard that is acceptable and which works for all involved. The carrier might expect to be informed, as a common courtesy, that a passenger will need assistance in boarding, or perhaps special consideration for seating location to facilitate physical limitations, comparably present for non-smokers. It would be frustrating and extremely difficult for flight attendants to physically carry a ninety kilogram man down an airplane aisle to the seventeenth row of seats if an aisle seat in the first few rows could have been guaranteed by pre-arrangement. Contingency plans are already in place to facilitate transport of

pets, ten-speed bicycles, water skis, poles for pole-vaulting, and multitudes of other equipment. These situations can be facilitated if some forethought and communication take place beforehand between courteous people. Surely a more permanent personal special need can be comparably handled with greater safety, simplicity and dignity, if the carrier is provided with basic information in advance. The philosophy agreed upon should be one in which the carrier can be expected to meet certain complex needs of people when those expressed needs arise. People with handicaps should not expect that an endless list of surprise needs will be met by a carrier who, for practicality, is prepared to meet the needs of the majority at all times, but who may need some advance information in order to accommodate physical and/or equipment needs of a minority group.

The hard, cold truth may come to be realized by all people, regardless of ability levels: all needs cannot be met. A standard will hopefully be developed to ensure accessibility and equality for as many people as is practically possible. I think we can accept that a person in a heart-lung life support system may not be able to roll up to a ticket counter and request "boarding assistance" unless some very special preparations are made.

The questions of accessibility then must address "types of disability" and identify relative basic needs to be able to arrive at the disabled communities that can be included in practical domestic air transport.

II. INCLUDED MEMBER GROUPS OF THE DISABLED COMMUNITIES (PROPOSED).

There are two areas of concern when identifying member groups of the disabled community - those who are rehabilitative and will regain independence, and those who will remain, to some extent, dependent upon others to facilitate their special needs.

Those with temporary special needs might be included in the following list:

- those with broken limbs (lesser mobility).
- those using crutches (lesser mobility).
- those with temporary braces/support equipment (back braces, neck braces).
- those with medical needs (medication, conditions such as epilepsy, pacemakers, cardiac patients).
- those who are extremely obese.
- others (those who suffer from airsickness).

Those with permanent special need(s) might be included in the following list:

- developmentally delayed (mentally handicapped, no physical disability).
- developmentally delayed with physical disability also.
- visually impaired.
- audio impaired.
- non-verbal.
- amputee (single, double, triple or quadruple).
- those with cerebral palsy.
- paraplegic (non-use of lower limbs).
- quadraplegic (non-use of both upper and lower limbs).
- multihandicapped (more than one physical impairment, ie: deaf and blind, or deaf and non-verbal, etc.).
- those with Multiple Sclerosis.
- others (war injured, etc.).

In most, if not all, of the above temporary and permanent situations, further assessment can be provided by the following levels of dependence:

- (1) Mildly dependent: able to meet virtually all of their own special needs, but may require occasional help or aid.

- (2) Moderately dependent: able to meet a portion of their special needs, but must have certain special assistance from others.
- (3) Extremely dependent: virtually all special needs must be facilitated, at least in part, by others.

Standards of accessibility should be developed with the understanding that an individual who is severely handicapped or multiply handicapped and extremely dependent cannot possibly expect to have all his needs met by carriers or their employees only. Perhaps, at a certain complexity level of disability, it may become mandatory for an attendant to travel with a disabled person "to ensure equal opportunity, access, safety and personal dignity".

The same standard will also, unfortunately, eliminate people with extreme special needs which cannot be met within "normal" level of costs, accessibility, equipment, safety, etc.

It becomes necessary to evaluate those components presently available and practically obtainable by carriers in the foreseeable future to determine standards of accessibility.

III. SIGNIFICANT BARRIERS AND PROBLEMS FACING THE DISABLED COMMUNITY.

Examination of barriers and problems related to accessible air travel must begin on the ground. People without disabilities generally initiate air travel via ground transportation to the terminal building. In the context of this response to air travel barriers, I will simply suggest that many problems and barriers of significance present themselves to a disabled person before arriving at an air terminal building. These additional barriers, however, can, and should, be dealt with by non-carrier agencies or individuals (transportation companies, terminal staff, etc.).

Upon arrival at the terminal, a disabled person may need assistance to overcome these obstacles:

- parking/vehicle movement, storage and retrieval upon return from travel.
- weather conditions (deep snow).
- movement of luggage, special equipment.
- entrance to terminal building (finding it, getting through it).
- directional assistance within terminal building to ticket counter, and to boarding gate.
- requesting ticket/information, special assistance for non-verbal, special seating requirements.
- washroom accessibility, directions.
- special requests regarding proper movement, tagging of personal equipment such as wheelchairs, etc.
- accessibility to boarding ramp (up stairs, up escalators, through doors).
- directions to correct boarding ramp (via signs, via verbal instructions, etc.).
- obtaining specialized equipment to board (carrier wheelchair, etc.).
- assured accurate transport of personal equipment once given up at boarding (ie: what happens if a carrier misdirects a vital piece of personal equipment such as a wheelchair?).
- movement via boarding ramp to aircraft (inclined).
- movement to assigned (or prearranged) seat.
- fastening of seat belt.
- storage of belongings in stowage compartments.

- seat adjustment.
- seat table adjustment.
- overhead controls (light, air conditioning, call button for assistance, safety oxygen mask).
- evacuation procedure explanation and movement in an emergency (must, for everyone's safety, be accomplished prior to takeoff).
- eating, drinking.
- getting to washrooms.
- deboarding (and all previously noted obstacles related to existing terminal building, including a plan with support equipment in the event of lost vital equipment).

A philosophy might be developed at this point to assist in developing appropriate standards. When do the carrier agencies (and their employees) become responsible for one of their passengers? at the entrance to the air terminal building? at the purchase (pick-up) of a ticket at their ticket counter on flight day? at the boarding gate? at the door to the aircraft? where??

The carrier's responsibility for passenger welfare should begin at the point of purchase of a ticket (or pick up) on flight day. Notwithstanding any prearranged seating or other requirements due to special needs, the carrier should not be responsible for a passenger before that time. Responsibility for the person with special needs lies with airport terminal staff or personal attendants prior to that time.

This provides us with the starting point of responsibility, but where does responsibility end? Perhaps the carrier's responsibility is to see the person to the next support mechanism. The proposal is obviously that airport terminal staff or personal attendants become the subsequent support mechanism to carrier personnel.

The implication here is the close cooperative effort of the individual, the terminal staff, the personal attendant and the carrier personnel.

The key to complete support is communication of a "special needs" situation between the carrier and pre/post flight personnel, personal attendant or otherwise.

The discussion now turns to those specific methods/practices/pieces of equipment, etc., that constitute a minimum of accessibility.

IV. MINIMUM CARRIER PERFORMANCE STANDARDS TO ALLEVIATE THE MOST SIGNIFICANT BARRIERS.

[Preamble: If the philosophy of the standard is to equalize the opportunities for accessible air travel for people of all abilities, then it can be assumed or projected that present carrier expectations of "able-bodied" travellers may provide the basis from which to develop standards for people with limited abilities.

In other words, if carriers presently employ standards which allow able-bodied people to carry/transport certain objects, equipment and pets (special needs!), then perhaps equal standards of courteous responsibility and communication can be developed for people with more personal, permanent or temporary special needs.]

In order to effectively meet an individual's special needs, it is important first to understand exactly what those needs may be. Simple identification of needs can do a lot in terms of meeting them. Carriers would be able to meet special needs more successfully if given a short period of time to arrange for assistance, special equipment, re-evaluate seating arrangements, etc. The initial responsibility to facilitate overcoming significant obstacles lies with the disabled person or attendant (in terms of both short and long term application of standards of accessibility). Perhaps the telephoned request for a ticket could include a request for front row or aisle seating in the case of a quadraplegic who cannot have ready access to seating farther to the rear (short-term goal). Until specialized equipment becomes available, carriers may want to save front row aisle seats for the last available passenger requests to ensure easier accessibility if needed. (Non-smoking requirements may need re-evaluation).

When such specialized equipment (narrow, carrier-provided wheelchairs, folding armrests, for example) becomes available, the need to "save" more accessible seating is reduced (long-term goal) and passengers can elect to sit in smoking/non-smoking sections regardless of ability levels.

A visually impaired person, depending upon his ability level, might need a carrier staff person to assist him through the security/boarding

gates. Assistance would be needed to show him to his seat, and to facilitate use of folding tables, window blinds, overhead vents, etc. Should a visually impaired person require such help, this might be communicated prior to boarding or ticket purchase.

Emergency situations which arise are frightening for everyone, but even more so for a special needs person. What does a quadriplegic do in an emergency landing situation, for example, where landing gear might fail and he is entirely dependent upon others to allow him to vacate the plane. Perhaps ground crews should be required to carry, as part of their emergency equipment, wheelchairs (portable) to facilitate movement of such passengers. Stretchers can be used, but in order to evacuate the plane, two things must take place:

- (1) Development of a plan supported by whatever equipment is needed as a part of the solution;
- (2) Informing the special needs passengers of the procedures beforehand to assure them of the procedures.

Such considerations should also be applied to emergency landings in water. Protection of special needs passengers in a fire situation will also require a plan of action, supported by necessary equipment and/or personnel, communicated to the individual beforehand.

This will provide relative peace of mind to the traveller and to the people involved in providing support to him.

Much could be achieved in the long term by training carrier staff in programs designed to familiarize them with "special needs" facilitation. Such courses would provide basic resource people from within the ranks of the carriers as consultants in the specific area of the disabled community. They would be employed in other service areas as well, but could be a valuable asset in helping carrier staff to meet and develop an understanding of special needs.

In developing a minimum standard, we should discuss the potential for "mandatory attendants" to be included in specific levels of ability. Perhaps those people who are multiply and/or severely handicapped should be required, under the standard, to travel with an attendant. This would help

maintain the level of care, attention, communication and personal needs facilitation required. This may also be the only area where price reduction/seat cost sharing considerations might apply. This mandatory attendant would be a qualified service person, familiar with the needs, temperament and characteristics of the individual. He would also provide invaluable support in terms of special equipment, medication and physical needs of the traveller with whom he is flying. Such a person could work directly with the carrier's special needs consultant to ensure that obstacles are alleviated as much as possible. Prior communication of special needs in this situation would again be a requisite.

Several of these standards are in place at the present time, many are not. We can "take stock" to plan for some of the additional improvements to be implemented.

V. PRESENT "STANDARDS" OF ACCESSIBILITY TO AIR TRAVEL.

There seems to be application of many "in house" standards today by carriers and their staff, depending upon the city and the traffic flow which dictates the volume of special needs clientele.

Because some carriers offer some "standards" at some terminals and not others, it becomes difficult to say what is offered and what is missing. It is simpler to say that the following items might be included in a basic standard of accessibility and then ensure all carriers meet that standard. Some carriers may be much closer to this at present in some terminals than are other carriers, but the minimum standards might include:

- ** (1) Accessibility to all levels of public concourses, terminal buildings, passenger security gates, boarding ramps and passenger doorways (I have seen a food services lift vehicle used in snow at 6:45 a.m. to facilitate boarding of wheelchair passengers via an undersized utility door on a Canadian carrier aircraft as recently as February 17th and 20th, 1984 in Windsor, Ontario).
- ** (2) Aisle accessible, carrier-provided "standard" wheelchairs to facilitate boarding of such passengers to assigned seating, preferably on the aisle.
- ** (3) Aisle arm rests to be folding to facilitate occupying/leaving seat.
- (4) Mandatory carriage of one aisle-accessible wheelchair on flights where required (flight list indicates disabled traveller on board).
- (5) Specific plans for emergency deboarding procedures, facilitated by special equipment (as in #4 above).
- (6) Specific plans for facilitating communication of emergency deboarding procedures to communication-impaired passenger (perhaps mandatory attendant required).
- (7) Specific plans and assigning of tasks to carrier personnel to facilitate assistance to all people with special needs in emergency deboarding (and in communication to those who are to be involved).

- **(8) Assistance to visually impaired as to availability of washrooms and other physical support services as required.
- (9) Priority debording of special needs passengers when subsequent flight times are shortly after arrival times. (Wheelchair or physically disabled people are generally slower and experience more difficulty in moving. At present, experience indicates these people board first and deboard last to facilitate able-bodied people's movement. If a special needs person has a special schedule to keep, he should be facilitated with earliest debording to meet his needs.)
- (10) The inclusion, in training courses, of methods of assisting all disabled people in gaining dignified access to air travel, emergency procedures, etc.
- (11) One employee per carrier per terminal to be designated as "special needs consultant" or "supervisor" to monitor conscientious application of the "standards" in the initial stages, perhaps to be retained on a permanent basis, and trained accordingly. This person would serve as an in-house advisor to all facility staff of that carrier, and perhaps to terminal staff as well.

NOTE: **Indicates this standard may be presently applied (at least in part) in one or more terminals by at least one carrier.

VI. SIGNIFICANT PROBLEMS PERCEIVED BY CARRIERS IN ACCOMMODATING THE DISABLED COMMUNITY.

It is difficult for me to accurately assess the perceptions of carriers in this issue because I have not had much verbal exchange with them on the topic.

I might suggest the following as their perceptions of significant problems:

- extra equipment weight, movement (of equipment) and insurance costs.
- costs of renovations to aircraft.
- emergency provisions/plans for disabled.
- manual boarding and debarking of individual due to improper or nonexistent equipment adapted to aircraft.
- lack of familiarity with person's disability or needs ("fear").
- time delays involved in accommodating special needs.
- design and/or purchase of special equipment such as aisle-accessible wheelchairs.
- establishing fares and rates for members of the disabled community.
- carrying of powered wheelchairs (weight excess and battery acid, etc. = danger = increased fuel costs = increased ticket costs).
- communication to communication-impaired people.
- additional costs (as follows).

VII. ADDITIONAL COSTS.

The additional costs related to air accessibility standards might be incurred in several ways. It should be remembered as well that some facilities are well prepared and on the way towards an acceptable level of equal opportunity. Others need major changes in terms of facility structure or support equipment. The volume of disabled clientele has caused this developmental imbalance.

Costs might be incurred in the following areas:

- training/professional development of staff to develop skills and knowledge related to disabilities.
- design/purchase of specialized equipment (carrier-owned wheelchairs).
- aircraft renovations (tilting armrests, restroom accessibility, disabled fixtures).
- ground equipment renovations.
- emergency equipment design/purchase.
- extra weight of powered wheelchairs (extra weight = extra fuel = extra cost = less revenue).
- travel/time costs in tracing lost equipment (ie: wheelchairs) and returning it to the owner, while they are in possession of a carrier-provided chair.

In summary, I can suggest the philosophy of the air accessibility needs to be supportive of dignity, accessibility and practicality. Both carriers and passengers must express their special needs and capabilities in order to facilitate an orderly, intelligent and courteous situation. There is no doubt that opportunities for domestic air travel can be improved through the creation of legitimate standards for people of all ability levels. Care must be taken to ensure a just system is developed with no overcompensating situations to cause animosity towards the disabled community. There should be equal opportunities, not an imbalance in favour of special needs.

Perhaps a two stage developmental plan could be implemented, with short and long term goals. In the short term, goals of policies and procedures for use during the upgrading of facilities, equipment and knowledge might provide a temporary base until the standard is implemented. We should keep the final standard in view as we move toward it, as it is valuable to know where we are going in order to plan on how we will get there. Priorities must be established for both short and long term development.

Due to the variety and levels of complexity of disabilities, the standard will be equally multi-levelled and complex. At a certain level of complexity, a person's special needs may make travel with an attendant a mandatory standard.

Significant barriers at present include:

- terminal accessibility.
- seating arrangements.
- boarding procedures.
- emergency procedures.
- aircraft accessibility.
- support equipment (carrier).
- owner equipment movement, transfer and return.
- lack of familiarity with abilities/needs of disabled on the part of carrier personnel.
- cost of renovations, equipment purchase and training for carrier personnel.
- dimension of carrier's responsibilities.
- lack of uniformity in applications of standards.
- systems of communication not established for communication-impaired.
- deboarding procedures.

A real factor in establishing information on present standards is the volume of disabled clientele. International terminals that service millions of travellers annually obviously must attempt to meet the special needs of a greater number of people than smaller centers might. Adapted policies and procedures in these two extreme settings will be varyingly up-to-date and effective. The intent of any discussion on air accessibility should include plans to apply the standards to all domestic carriers and facilities that service the general public.

The integration of people with disabilities in air travel must be supported from all communities, disabled and "able bodied" alike. Both will be affected, both deserve input, both have "needs" to be met. The successful development, implementation and application of a legitimate standard of air accessibility will be realized through the commitment, courage and communication of everyone involved. It cannot truly succeed otherwise.

Preparation of Accessibility Standards

1. Air Carrier Standards: Mr. Ed Ratushny, Office of the Minister,
Transport Canada, Place de Ville, Tower C
Ottawa, Ontario. K1A 0N5
Telephone: (613) 996-7501 or 231-3492
2. Airport Services: Ms. Patricia Falta,
2375 MacNeil Street,
Montreal, Quebec. H3R 2X1
Telephone: (514) 737-0632
3. VIA Rail: Mr. Mervin Tosh, Railway Transport Ctee.,
Canadian Transport Commission,
15 Eddy Street, Hull, Québec. K1A 0N9
Telephone: (613) 997-7702
4. Commuter Rail: Mr. Louis Ranger,
Chief, Policy Evaluation Division,
Rail Passenger Directorate,
Transport Canada, Place de Ville, Tower C
Ottawa, Ontario. K1A 0N5
Telephone: (613) 996-8108
5. Roadcruiser: Mr. John Pringle,
Director, Motor Carrier Branch,
Transport Canada, Place de Ville, Tower C
Ottawa, Ontario. K1A 0N5
Telephone: (613) 992-9107
6. Intercity Bus: Mr. T. Pollock,
Chair, CCMTA Bus Working Group
Saskatchewan Highway Traffic Board,
12th floor, SGI Bldg.,
2260 - 11th Avenue,
Regina, Saskatchewan. S4P 3V7
Telephone: (306) 565-4039
7. Ferry Services: Capt. Jean-Paul Turcotte,
Director, Marine Services,
Transport Canada, Place de Ville, Tower C
Ottawa, Ontario. K1A 0N5
Telephone: (613) 996-0804
8. Departmental
Coordinator: Ms. Janice Tait,
Director, Transportation of the
Handicapped, Place de Ville,
Ottawa, Ontario. K1A 0N5,
Telephone: (613) 996-3664



Statistics Statistique
Canada Canada

Ottawa, Canada

APPENDIX D

March 30, 1984

Mr. E.D. Ratushny
Special Advisor
Air Accessibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada
Ottawa, Ontario
K1A 0N5

Dear Sir,

This is in response to your letter regarding the standards of accessibility to air travel by disabled persons. As you may be aware Statistics Canada employs many handicapped persons with various disabilities. As co-ordinator for Equal Employment Opportunities for handicapped employees I have access to these persons on a daily basis. In order to promote equal access and take into consideration the different needs of the disabled we have formed a departmental committee for the handicapped. Upon receipt of your letter I convened some members of that committee to discuss the questions suggested by you. Two of the members are deaf, one has cerebral palsy, and two are blind with seeing eye dogs. Here are their comments.

Persons confined to wheelchairs:

- Persons in wheelchairs require assistance for boarding.
- Bulkhead seats: These seats should be reserved for handicapped persons.
- Aisles: Aisles are not wide enough to accomodate wheelchairs, except maybe for the DC-9 and 767.
- Moveable arms rests: All seats should have moveable arm rest, not only on the sides but in the middle.

.../2

- Washroom facilities: These facilities are not available to persons in wheelchairs or crutches. This is not a big problem for short flights, however, long flights can be difficult.
- Electric carts: They should be provided (especially in Toronto) for people who have difficulty walking.

Deaf Persons:

The committee suggested that air lines be prepared to accomodate deaf people. Signage should be visable and available in all airports. Deaf people and indeed all handicapped persons object to the policy that handicapped passengers regardless of their disability have to remain seated in case of an emergency and wait till all other passengers are safely out. Often deaf people are asked not to sit by the exit door and attendants are at a loss themselves to explain why deaf people are not allowed. Also, deaf people often miss their flights because of the P.A. System.

Persons who are totally blind or legally blind:

Bulkhead seats should be reserved, however there seems to be a policy of Air Canada that prevents people from reserving ahead of fifteen days and by the time disabled people reserve their seats the bulkhead section is already taken.

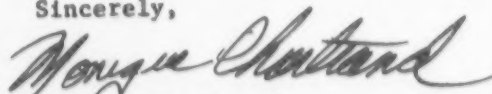
Gate 3 in Toronto:

Many disabled employees have been told to stay by or assigned to this gate and told to wait until an attendant can board them. This happens even when they are travelling with companions who are not disabled or even when they are capable to board by themselves.

In conclusion, all members of our committee agree that the most important thing in dealing with handicapped passengers is to asked them what they need and not to assume what theirs needs are. Disabilities vary and it can be both embarassing and unnecessary to assume that all handicapped people are to be treated the same. The key is in asking the disabled passengers what their requirements are.

I hope this will help you, should you wish to meet with members of our handicapped committee I will be pleased to arrange it.

Sincerely,



Monique Chartrand
Chief of Affirmative Action and
Co-ordinator of Equal Employment
Opportunities
4th Floor, Section 'A'
R.H. Coats Bldg.
Statistics Canada
Ottawa, Ontario
K1A 0T6



FACULTY OF MEDICINE
DEPARTMENT OF REHABILITATION MEDICINE

Queen's University
Kingston, Canada
K7L 3N6

February 22nd, 1984

The Honourable Lloyd Axworthy
Minister
Transport Canada
Ottawa, Ontario

Dear Mr. Axworthy:

I am writing in response to receipt of your booklet on the 'Policy on Transportation of Disabled Persons'.

I would like to congratulate you on the real progress, which you have been making in your Ministry in this area and I would like to make a few observations and constructive suggestions.

First, in reviewing the document, it appears that the term disabled and handicapped person is used interchangeably. In this connection I would draw your attention to the International Classification of Impairment, Disability and Handicap, published by the World Health Organization.

Disability is defined in the context of health experience, as any restriction or lack of ability to perform an activity in a manner or within the range considered normal for a human being. In this regard an amputee with single below knee amputation will have a restriction of ability to walk in a normal fashion.

Handicap is defined as a disadvantage for a given individual, resulting from an impairment or disability that limits or prevents the fulfillment of a role that is normal for that individual. In this context the below knee amputee, who is unable to manage public transportation would have a mobility handicap, whereas the majority of below knee amputees will not be handicapped in this fashion.

I would like to suggest in the strongest way possible, that your Ministry adopt the conventions and the definitions stated in the World Health Organization publication. I also believe, that you will find this very helpful in terms of defining the dimensions of the problem, with which you are confronted. Clearly, what is of greatest importance to your Ministry are the numbers of disabled persons, who are mobility handicapped, whether due to blindness, sensory impairments, mental retardation, emotional illness or physical disability.

Mr. Axworthy
Page Two

I would ask, that you consider establishing certain national goals for your programme so that progress resulting from your efforts can be clearly measured. In this connection, I draw your attention to the enclosed paper entitled 'Integration - Are We Ready', in which I have articulated two national goals for the benefit of disabled and handicapped Canadians. These are - (1) a reduction in the need for institutional care for disabled persons in Canada by 30% during the next decade. and (2) a reduction in the level of unemployment among employable disabled people to the national level of unemployment during the next decade.

In this regard two possible goals for your Ministry might be - First to ensure that all handicapped people in Canada, who reside in their home, have access to transportation which enable them to receive any services necessary to maintain their independent living status in the community.

The second goal would be to ensure that any handicapped Canadian has access to appropriate transportation to permit them to accept employment, which is within their capacity.

I would draw your attention to the fact, that institutional care and income support services are costing the Canadian public over 10 billion dollars and in my views the measure, which your Ministry is currently developing, can play a significant role in reducing the rapidly increasing burden of institutional care and income support costs by making community living and employment equally accessible to disabled Canadians and, thereby, reducing substantially the unnecessary burden of handicap in Canada.

I do hope, that you will find these comments constructive and helpful and I do thank you for your efforts and support thus far.

Yours sincerely,

David C. Symington, M.B., Ch.B., F.R.C.P. (C)
Professor of Rehabilitation Medicine

DCS/cg
cc Miss F. MacDonald
MPP, Kingston & The Islands
Secretariat for Disabled Persons

encl.



Honourable Lloyd Axworthy
Minister of Transport
Parliament Buildings
OTTAWA, ONTARIO

April 6, 1984

Dear Mr. Axworthy:

Re: Policy on Transportation of Disabled Persons

The Canadian Association of Rehabilitation Personnel (B.C.) Society, recently received in our correspondence, a copy of the current request for Standards of Accessibility to Air Travel by Disabled Persons. The Kinsmen Rehabilitation Foundation of B.C. had forwarded this to us for our input.

While we will not be making a formal presentation in this area, we applaud the efforts of your ministry to make air travel more accessible to the disabled. For many years, the limitations that have been placed on the disabled citizens of Canada have affected their vocational alternatives as well as their quality of life. By seeking to provide the broadest accessibility to this part of our population, you are truly extending the full protection of the rights and freedoms of the Canadian charter to the broadest constituency possible.

We support your efforts in this area and would recommend similar considerations be given to other transport systems under federal jurisdiction.

Yours truly,

Donald J. Hume, A.R.W.
President
C.A.R.P. (B.C.) Society

DJH/mth



♦ AMIGO SALES, INC.

6693 Dixie Hwy.
Bridgeport, MI 48722-0402 U.S.A.
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♦ AMIGO SALES
INTERNATIONAL, INC.

6693 Dixie Hwy.
Bridgeport, MI 48722-0402 U.S.A.
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"THE FRIENDLY WHEELCHAIR"

Since 1968

April 2, 1984

Air Accessibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada
Ottawa, Ontario
CANADA K1A 0N5

Gentlemen:

The spring issue of the B.C. Kinsmen publication Image caught my attention. Of particular interest was the article "Air carriers need your advice." This section asks specific questions about air travel accessibility. Several of these questions have been addressed and resolved by Amigo company.

With 35,000 Amigo wheelchair owners around the world the question of airline travel has been asked many times. In the last 15 years of working with the handicapped traveler, the most significant considerations for them are:

- Can I take my wheelchair with me
- How will it be transported
- How can I get in and out of the plane
- Will I be able to use the plane's restrooms, and more.

Being able to travel in a dignified manner is extremely important. Handicapped people don't wish to be a spectacle while traveling or be unnecessarily "handled" by airline personnel along the way. Most Amigo wheelchair owners prefer to take their Amigo on trips and vacations. If they are planning to travel by air, Amigo company has 10 helpful hints to make their trip as enjoyable as possible. A flier listing these hints is enclosed.

From the other point of view, Amigo company has also worked with several airlines in the United States. Accommodating a handicapped traveler is an important consideration for all airlines, large or small. Airline equipment must serve a variety of purposes from passenger transportation to and from the planes, to on-board equipment offering access to restroom facilities. Meeting all of these requirements, Amigo's Escort Special wheelchair features cabled arm rests, 360° swivel seat and a passenger restraint system for added safety and security.

Page 2
Air Accessibility Standards
April 2, 1984

Several other features Amigo company found necessary for proper airline transportation equipment include:

- Removable Arm Rests
- One piece design minimizing the possibility of theft
- Contour seats for passenger comfort
- Ease of use for staff efficiency
- Durable design for years of use
- Aesthetically pleasing appearance to the rider
- Easy to clean components

Hopefully this information will be helpful to you in developing accessibility standards. Should more detailed information be required or if you have specific questions, please feel comfortable calling on myself or Amigo company. Or you are most welcome to contact our Canadian branch office at (416) 848-4737.

Sincerely,


E.C. 'Bud' Paffrath
Executive Vice President - International
AMIGO SALES INTERNATIONAL, INC.

jrc
Enclosures

cc. Lee H. Sellenraad
Manager - Canadian Branch
AMIGO SALES INTERNATIONAL, INC
400 Matheson Blvd. Unit #17
Mississauga, Ontario L4Z 1N8



CANADIAN PARAPLEGIC ASSOCIATION

National Office: 520 SUTHERLAND DRIVE, TORONTO, CANADA M4G 3V9 (416) 422-5640

President's Office: 22 LEICESTER ST., FREDERICTON, NEW BRUNSWICK E3B 4N4 (506) 453-2301

Patron His Excellency the Right Honourable
Edward Schreyer, C.C., C.M.M., C.D.,
Governor General of Canada

March 28, 1984

Mr. Ed Ratushny
Special Advisor
Air Accessibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada
Ottawa, Ontario
K1A 0N5

Dear Mr. Ratushny:

I am sorry we did not have a chance to meet and discuss the numerous problems encountered by disabled persons when travelling by air. If I were to outline the many problems and inconveniences I have experienced personally, since my first flight in 1959, the letter would rival War and Peace for length.

Airlines are very inconsistent in rules and regulations for the "handling" of disabled passengers. It does appear at times that the, "rule of the day", depends on the mood of the individual agent one first checks with.

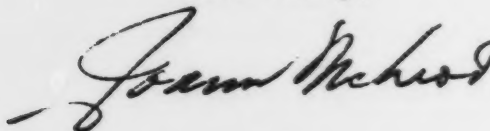
Frustrating as some incidents are at the time, when one looks back on them, often they are so ridiculous that they are funny. For example, the only way the ground crew would allow me on a plane in Nashville, to fly to Cleveland, was if I was wrapped in a blanket and sat in the aisle seat. (The temperature was 90 F.) In Cleveland, a different ground crew, same airline, would not let me back on the plane unless I sat in the window seat and they took my blanket away! In June, the Chairman of the New Brunswick Board of C.P.A. and myself, flew to Toronto to attend our annual meeting. From Fredericton to Toronto we sat together in the front row seats. On the return flight we were told disabled passengers were not allowed to sit together, so at great inconvenience to all concerned, he was carried to a seat further back, (on a DC9 it is possible to transfer from a wheelchair to the first row unaided.) To add to the pleasure of his flight when we landed in Fredericton he was informed there was a slight problem with his chair. Nothing serious he was told, it was just that one wheel had been broken off!

Mr. Ed Ratushny
March 27, 1984
Page 2

Rather than go on at length in this letter I have attached responses to the questions you asked. Also attached, for your information, is a copy of a letter to Gordon Fairweather outlining a problem I had with C.P. Air. I have also enclosed a copy of the submission the Canadian Paraplegic Association made to the Air Transport Committee.

I am pleased you have been assigned to undertake this study. I fly to Toronto at least once a month and to other parts of Canada on a regular basis and would personally welcome any improvements you recommend in air travel for disabled persons.

Yours truly,

A handwritten signature in cursive script, reading "Joanne McLeod". The signature is written in dark ink and is positioned above the printed name and title.

Joanne McLeod
President

enclosures

JM/mvl

Response of the Canadian Paraplegic Association to
Standards of Accessibility to Air Travel by Disabled Persons.

1. Significant barriers and problems.

There are so many barriers it is difficult to determine what are the most significant. The tariff followed by the airlines can cause problems. For example it is specified that only two non-ambulatory/self-reliant passengers are allowed on a DC9 unattended, an additional two will be allowed, if attended, even if they are self-reliant. If you live in a small city where there is only one flight a day and that flight is a DC9 this tariff can cause undue hardship. The tariff should be made public so the disabled passengers knows what to expect.

It is a problem when ground crews require a disabled person to get out of their own chair and use a chair provided by the airlines until flight time. A wheelchair is a very personal item designed to meet the needs of the individual. The airlines' chairs are difficult, uncomfortable and dangerous. For example they do not have straps on the back of the footrests. Many times passengers have suffered injury when their foot slips back and is caught by the wheel.

Some of the chairs have excessively high footrests, (particularly the new narrow models) and for a tall person or even an average size male the knees are up to the chin.

Most passengers can transfer from their own wheelchair to the front seats. Often, because of the different structures of the airline chairs they require assistance when using the airline chair.

Chairs placed in the baggage compartments are frequently damaged. Damage done to a chair is far more serious than a torn suitcase. In fact if you land in a strange city on a Saturday and your chair has been damaged beyond use the problems faced are far to numerous to list at this time.

Disabled passengers have been forced to wait for as long as one hour before "someone" brings their chair in order for them to deplane. The problem usually stems from a conflict as to who is allowed to bring the chair to the passenger. If the passenger has a connecting flight a long wait can result in missing the plane.

.... /2

2. Significant Problems Percived by the Air Carriers.

An eminent doctor connected with the Paraplegic Association maintains the biggest problem the airlines have is that they are afraid a paraplegic will be incontinent!

Airlines certainly have taken measures in accommodating disabled passengers and have spent considerable money on new wheelchairs etc. However it is often the little things that cause the greatest problems. For example, the chairs with high footrests or no heelstraps. Many of the problems are caused by the attitude of the staff. It would be helpful if all airlines conducted training sessions for staff on the requirements of disabled passengers. These sessions should be conducted in conjunction with disabled persons, as they know their own needs best.

3. Regulations should be the same for all types of aircraft. There are not different regulations for non-disabled passengers and there shouldn't be for disabled passengers. Disabled passengers pay the same fare and should not be discriminated against in service.

4. Accessible washrooms would be nice, particularly on long flights and no doubt it would be possible to design them.

Moveable armrests on the aisle seats would make transfers easier.

Safe, dignified boarding could be achieved if the ground crew would ask the disabled passengers what should be done. Each person has a way that is easier for them and they know the best way to proceed.

Wheelchairs should be stored in the cabin area whenever possible. This would eliminate damage to the chairs and the wait for the chair to appear on landing. Wet-cell batteries should be packed in a suitable container and stored with the chair.

Staff should be made aware of the various disabilities and taught how to assist the passenger when required.

The issues of self-reliance and self-determination should be left up to the passenger. The airline staff is not qualified to make judgement on the self-reliance of a passenger. Because a person is in a wheelchair does not mean they are helpless. There should be no arbitrary decisions made by the staff on self-reliance of the passenger.

5. Guidelines and recommended practices would be preferable to binding regulations at this time. However, the aim should be to have binding regulations as soon as the problems are resolved, to insure that disabled passengers are treated with respect and are allowed to travel with no more restrictions than any other passengers.

6. The tariff restricting two self-reliant passengers per flight on a DC9 is very discriminatory and should be removed.

HUMAN RIGHTS COMMISSION
P.O. BOX 6000
FREDERICTON, N.B.
E3B 5H1



NEW BRUNSWICK
NOUVEAU-BRUNSWICK

COMMISSION DES DROITS DE L'HOMME
CASE POSTALE 6000
FREDERICTON, N.-B.
E3B 5H1

October 19, 1981

Mr. R. G. L. Fairweather
Canadian Human Rights Commission
275 Slater Street
4th Floor
OTTAWA, Ontario
K1A 1E1

Dear Gordon

Thank you once again for your participation in and contribution to "Forum 81". Your presence added greatly to the success of the day and as always everyone was please to have you "home".

I realize that your Commission only has jurisdiction over the physically disabled in areas concerning employment and not goods and services, nevertheless I want to bring to your attention a problem I encountered recently.

On October 13th I flew from Toronto to Vancouver on C.P. Air flight 81 empress class. When I checked in at the Vancouver Airport on October 15th to return to Toronto on flight 80, I was told by the ticket agent, a most pleasant and friendly man, that I could not fly without an "able-bodied" attendant. Since I have been flying in excess of twenty years and had never before been told such a thing, I assumed he was being funny and laughed accordingly. He was not being funny!

A somewhat lengthy discussion ensued. When I asked who would qualify as an able-bodied attendant he said, "someone who could carry you off the plane in case of emergency and take you to the bathroom if necessary in flight." From this I would conclude the only suitable attendant for a female would be a husky eunuch!

At no time during the conversation did he ask if I was self-sufficient but simply kept insisting because I was unable to walk, requirements necessitated me having an attendant. Finally he said since I had been "allowed" on the plane in Toronto and it was necessary for me to return home he would "allow" me on the flight.

Fortunately for me just then it was announced that flight 80 had developed mechanical difficulties and would not be taking off for a

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Mr. G. L. Fairweather
October 19, 1981
Page 2

number of hours. The ground hostess who had been standing by suggested I could then transfer my ticket to Air Canada. I did so gladly, at Air Canada I received my usual excellent no questions asked service and within five minutes was on the plane.

I find it particularly ironical that after so many years, the first time I was refused service is International Year of Disabled Persons.

Perhaps you might have an opportunity to have some input in helping to remove such a ridiculous rule from the books of C.P. Air.

Yours truly,

Joanne McLeod
Legal Counsel

JM/jh

cc: Michael Ryan, Managing Director
Canadian Paraplegic Association

D. L. Mowat, Executive Director
B.C. Division
Canadian Paraplegic Association



CHARLES CRANE MEMORIAL LIBRARY

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March 27, 1984

Professor Ed Ratushny,
Special Advisor
Air Accessibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada
Ottawa, Ontario
K1A 0N5

Dear Professor Ratushny:

Please find enclosed my submission on air passenger transport and the needs of the blind or visually impaired.

I hope this material reaches you in time.

If you require explanations or if I can be of further help, please contact me.

Yours very truly,

A handwritten signature in cursive script, reading "Paul E. Thiele".

Paul E. Thiele
Librarian and Head

PET/slm

Paul E. Thiele, B.A., M.A.
Librarian and Head,
Charles Crane Memorial Library
University of British Columbia
Vancouver, B.C.
V6T 1W5

Submission to:

Air Accessibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada
Ottawa, Ontario
K1A 0N5

SUBMISSION ON AIR TRAVEL AND THE BLIND OR VISUALLY IMPAIRED

Background

The needs of the blind or visually impaired vis-a-vis air travel, are small compared to those of persons with ambulatory disabilities. However, they are highly significant for the safety and well being of travellers with limited or no sight.

This submission is based on the fact that as a visually impaired academic specializing in educational support services and member of several world organizations, I do a lot of flying. My wife, who is also a university academic and totally blind is also involved in a great deal of air travel, either on her own or accompanying me. We have had a good opportunity of sampling all major Canadian air carriers and many international air lines as we have logged at least two overseas and several cross country and shorter domestic flights every year for the past sixteen years. As Communications Chairman of the Canadian Organizing Committee for 1981 - International Year of Disabled Persons, I also had the opportunity of learning about the air transport needs of a great number of visually impaired persons across Canada.

By and large, Canadian air carriers are exemplary in their attitudes toward and service provided for blind and visually impaired passengers.

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There are however, some areas specifically related to the safety of non or limited sighted passengers, in which there needs to be improvement and where some other countries can serve as models.

The blind or visually impaired as air travellers

As for all disabled persons, air travel often provides the shortest, fastest and least cumbersome means of travel. As for most other disability groups, the best assurance of the blind or severely visually impaired passenger's safety, is to fly with an attendant or guide.

RECOMMENDATION

It is recommended that fare concessions for the attendants of disabled air travel passengers also be extended to blind persons travelling with sighted guides.

On-board safety of blind or visually impaired air travellers

While air travel with a sighted guide may present the most ideal situation both for the visually impaired passenger and the air carrier, many blind travellers will choose independent air travel for a variety of reasons. The on-board safety of these independent travellers and even those accompanied by guides should be improved.

Currently, there appear to be no regulations regarding emergency procedures in a medium accessible to the blind or visually impaired to be carried on commercial passenger aircraft. This places the blind or sight-impaired traveller at a disadvantage compared to sighted passengers who have this information at hand in seat pockets.

The demonstrations by the flight attendants of seatbelts, life jackets and oxygen routines, also largely depend on visual learning, leaving the

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visually impaired traveller at a distinct disadvantage in an emergency situation. Although flight attendants on at least one major Canadian carrier, - Air Canada - have of late made a practice of asking blind passengers if they understood the visual emergency demonstration, it is doubtful whether the blind have ever been given the opportunity of 'hands-on' experience of emergency equipment, devices and procedures.

RECOMMENDATION

It is recommended that every commercial passenger aircraft in Canada carry at least one copy of the standard emergency instructions in braille.

Moreover, it is recommended that every commercial passenger aircraft in Canada carry at least one raised-line, tactile drawing or graphic - similar to the print version, located in seat pockets, - showing emergency exits, washrooms and other pertinent passenger safety and comfort features of that particular aircraft.

It is further recommended that every commercial passenger aircraft be fitted with raised tactile signage on emergency exits and washroom doors for the benefit of passengers with impaired vision. This tactile signage should be in raised, san-serif letters and/or Arabic numerals, so that it may be easily read by touch, and in brightly contrasting colours (e.g. black/white or red/white). This tactile signage should either be installed in addition to the present non-tactile signage, and should have letter heights of a minimum of 25 mm and raised a minimum of 3 mm, or replace the present non-tactile signage with standard letter sizes, but in raised tactile format. Suggested minimum dimensions are based on draft 9/3/54 of Section 3.7 (formerly Section 10) of the British Columbia Building Code sub-section 3.7.3.19(1) "Signage and Directional Guides", Ministry of Municipal Affairs, Victoria, B.C., The Federal Government Supply and Services adheres informally to these standards and the National Research Council has been requested to make the signage part of the special building code into a Canada-wide standard for public buildings as well as public conveyances.

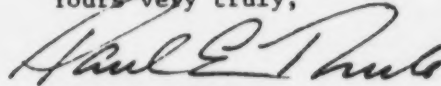
. . . 4/

N.B. It should not be necessary to install signage in braille, as the majority of sight-impaired persons are either familiar with or can easily be taught recognition of print alphabet raised line lettering. Braille, although an important medium for the blind, is used as a major communication form by only 1.5 - 3% of Canada's and North America's blind population according to National Library of Canada and Library of Congress statistics.

It is further recommended that Canadian air passenger carriers arrange or contract with appropriate knowledgeable agencies or individuals to conduct regular in-service or original flight training sessions for ground and cabin personnel on the subject of accommodating and serving visually impaired or blind passengers.

Submitted this 27th day of March, 1984, University of British Columbia,
Vancouver, B.C.

Yours very truly,



Paul E. Thiele,

Librarian and Head

cc: Canadian Council of the Blind
Coalition of Provincial Organizations of the Handicapped
BOOST - Blind Organization of Ontario
Canadian National Institute for the Blind



Saskatchewan Council for Crippled Children and Adults

APPENDIX J

HEAD OFFICE:
1410 KILBURN AVE.
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TELEPHONE (306) 653-1694
TRANSPORTATION DEPT. 384-8828

REGINA BRANCH — 825 McDONALD ST
REGINA S4N 2X5
569-9048

YORKTON BRANCH — 162 BALL ROAD
BOX 1011, YORKTON S3N 2X3
782-2463

SWIFT CURRENT BRANCH — 1550 NORTH RAILWAY ST. WEST
BOX 1226, SWIFT CURRENT S9H 3X4
773-2076

PRINCE ALBERT BRANCH — 18 - 17th ST. WEST
PRINCE ALBERT S6V 3X2
764-9752

March 22, 1984

Air Accessibility Standards,
Office of The Honorable
Lloyd Axworthy,
Transport Canada,
OTTAWA, Ontario
K1A 0N5

ATTENTION: Mr. Ed Ratushny

Dear Mr. Ratushny:

First of all, let me thank you for the opportunity to respond to your accessibility standards as set forth under the title of Standards of Accessibility to Air Travel by Disabled Persons. Being a disabled individual myself, I have always found all the air carriers and staff more than cooperative in trying to meet my personal needs to ensure a safe quality flight.

Although, there are many things that could be done, I wish to thank the airlines for what they have done. The most significant barrier problem I have experienced is in seat allocation. The front seats are usually assigned prior to my arrival at the airport. However, I understand this is being changed in that the travel bureaus are to assign seats. One problem of rectifying this would be to assign the front row seats when the ground personnel are assigning seats and leaving the seats vacant in the event a handicapped person is travelling and has not been assigned a seat. The other obstacle is that the arm rests are not removeable. That means if they could fold out of the way it would facilitate transferring. In transferring a person from a wheelchair to a seat the staff seem to be fairly competent and simply by asking the individual instructions as to how to facilitate the transfer would greatly assist.

I believe that all regulations should apply to all flights other than maybe the extremely small carriers who cannot facilitate this into their aircraft at the present time.

Accessible washrooms while desirable, are not always feasible. How-

ever, if provisions could be made in future aircrafts it would be desirable. I have always found the baggage handling and personal assistance in all air terminals to be of an adequate standard. The issues of self reliance and self determination are probably the best handled by directly asking the individual person with the handicap how they would prefer to be handled at each air terminal prior to boarding and deboarding.

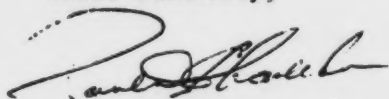
The new wheelchairs as provided by Air Canada in the Toronto terminal are a great boon to handicapped travellers. However, the braking mechanism on top of the detachable rear wheels do sometimes get in the way for a person trying to manouever the wheelchair on their own. Perhaps, a new braking mechanism could be established.

In the event that front seats cannot be assigned, perhaps consideration could be given to the wheelchair passengers being provided seats in the first class section as an alternate option to having to be physically carried to another seat past the first row. I envision problems with this as many people would rather travel in the first class section than in the main body of the aircraft. However, this should be used as a last resort only.

Ramp loading has proved a great boon rather than having to carry wheelchairs up the stairs into the aircraft. This is not only cumbersome for the individual in the wheelchair but could result in back injury to the airline personnel carrying the individual up the stairs and down the stairs. Lastly, if at all possible it would be preferable to have the person transferred to the airlines special wheelchairs as close to boarding time as possible. The problem encountered here is with the baggage handling and ensuring that their personal wheelchair is able to make it into the cargo bay.

Again, I do not have many specifics and I think most of these could be incorporated very cheaply and I thank you again for your opportunity in allowing me to respond to these accessibilities. A copy of your findings would be greatly appreciated.

Yours sincerely,



Paul D. Charlebois
Administrator - Orthopaedics/
Technical Services

PDC/de



Place de Ville
Ottawa
K1A 0N5

STANDARDS OF ACCESSIBILITY TO AIR TRAVEL BY DISABLED PERSONS

I have been appointed by the Honourable Lloyd Axworthy, Minister of Transport, to develop a draft set of standards of accessibility to govern air carriers in the level of services provided to disabled passengers. The Terms of Reference are enclosed, together with "Background" which briefly provides the context for this project. It should be noted that the recent amendments to the Canadian Human Rights Act and the coming into force of section 15 of the Canadian Charter of Rights and Freedoms in April of 1985, make it particularly important that workable solutions be found to the problems in this area.

This mandate is obviously broad and complex and there are not likely to be ready solutions for many of the issues, particularly within the time frame which has been established. Nevertheless, I will be seeking to engage in broad consultations followed by analysis with a view to making recommendations by the end of May.

I propose to receive written comments until the end of March. Public hearings or meetings will not be possible. However, if any personal meetings are requested, every attempt will be made to accommodate them during the early part of April.

Your own comments and suggestions would be most valuable to me and I would appreciate hearing from you, in writing, at the following address:

Air Accessibility Standards,
Office of the Honourable Lloyd Axworthy,
Transport Canada,
Ottawa, Ontario. K1A 0N5

Some basic questions which come to mind are the following:

- What are the most significant barriers and problems experienced by the various disabled communities in travelling by air? (Specific examples based on actual experience would be particularly helpful). What minimum performance standards, on the part of carriers would overcome or alleviate such difficulties?
- What are the most significant problems perceived by the air carriers in accommodating various disabled passengers? (Again, specific examples would be valuable). What special measures have been taken to date in accommodating disabled passengers? What has been the cost of such measures? What is the estimated cost of making further accommodations which are being requested?

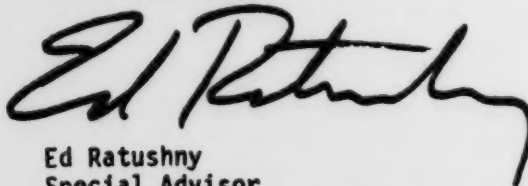
. . . 2

- To what aircraft or flights should the regulations apply? Should attempts be made to develop different regulations for different kinds or classes of aircraft?
- What vehicle features should be available (accessible washrooms? moveable armrests? etc.)? What provisions should be made to allow safe, dignified boarding? What special provisions should be made for the carriage of wheelchairs and wet-cell wheelchair batteries? What provision should be made for communication with sensory impaired passengers? What personal assistance should be provided by carriers in terminals (e.g., baggage handling)? What level of training should carriers be required to provide to their staff in serving disabled passengers? How should the issues of self-reliance and self-determination be dealt with?
- Although the objective is to establish binding regulations, are there some issues which are not yet "ripe" for formal regulation? If so, should attempts be made to develop, in conjunction with the regulations, a series of "guidelines" or "recommended practices" while further experience and information is gathered?

Of course, these questions are illustrative rather than comprehensive and comments will be welcome on any matters related to the terms of reference.

I look forward to hearing from you.

Yours sincerely,



Ed Ratushny
Special Advisor

Enclosures

BACKGROUND

On January 19th of this year, the Honourable Lloyd Axworthy released the Government's Policy on the Transportation of Disabled Persons. If you do not have a copy, you may obtain by writing directly to Mr. Axworthy c/o House of Commons, Ottawa.

In the Preface of this document, Mr. Axworthy said:

I fully recognize that this policy is stated in the form of general principles. Our success in this area will be judged, ultimately, not by general statements but by the reality of improving the mobility of thousands of Canadians so that they may participate in our society with greater freedom and equality.

In moving towards that reality, the Minister has taken initiatives towards the development of accessibility standards for the various modes of transportation.

With respect to transportation by rail, the Railway Transport Committee has established a special committee to prepare and submit a set of accessibility standards to the Railway Transport Committee for the preparation of regulations. Transport Canada, itself, is in the process of developing accessibility standards for Marine transportation and for the Roadcruiser project in Newfoundland. Since travel by motor coach presently falls within provincial jurisdiction, Mr. Axworthy urged his provincial counterparts at the last meeting of Ministers on December 5th, 1983, to accelerate the development of accessibility standards for presentation at the next Council of Ministers Meeting this Fall.

With respect to air travel, Mr. Axworthy appointed two Special Advisors to develop accessibility standards for services provided by air carriers and at Transport Canada's airports respectively. Patricia Falta, an architect and professor at the University of Montreal will examine the levels of accessibility at Transport Canada airports. Ed Ratushny, a professor at the Ottawa Law School and Director of the Human Rights Research and Education Centre will develop draft standards of accessibility for air carriers.

TERMS OF REFERENCE

Development of Draft Accessibility Standards for Air Carriers

1. To develop appropriate draft standards for air carriers in Canada with respect to flight accessibility for disabled and elderly individuals.
2. To develop such draft standards in a form:
 - (a) suitable for enactment by the Minister of Transport as regulations under the Aeronautics Act;
 - (b) suitable for recommendation to the Governor-in-Council for enactment under the Canadian Human Rights Act; and,
 - (c) having regard to the coming into force of Section 15 of the Canadian Charter of Rights and Freedoms on April 17, 1985.
3. To develop such draft standards in full consultation with affected sectors such as air carriers, suppliers, regulatory authorities, other levels of government, unions, representatives of elderly and disabled persons and, particularly, the Canadian Human Rights Commission.
4. To include with such draft standards any related observations or recommendations which might assist in the improvement of accessibility to air travel by disabled persons.
5. To report to the Minister of Transport by May 31, 1984.

Airline Tariff Publishing Company, Agent
CANADIAN GENERAL RULES TARIFF NO. CGR-1

 15th Revised Page 37
 Cancels 14th Revised Page 37

RULE

SECTION I — GENERAL RULES

- 33 **TRANSPORT OF DISABLED PASSENGERS** (Applicable to AC, CP, GX, WD, X, Q8 and UN only. Applicable to MD, 6PV and PW except as provided in Rule 6015 - (PASSENGER ON STRETCHERS) and Rule 195(P) (INCUBATORS).)
- (A) **DEFINITIONS** - Passengers shall be considered disabled when their physical, medical or mental condition requires individual attention on enplaning, deplaning, during flight, in an emergency evacuation or during ground handling which is normally not extended to other passengers.
- (1) **Ambulatory** - a person who is able to move about within an aircraft unassisted.
 - (2) **Non-Ambulatory** - a person who is not able to move about within the aircraft unassisted.
 - (3) **Self-reliant** - a person who is independent, self-sufficient and capable of taking care of all physical needs during flight, and who requires no special or unusual on-board attention beyond that afforded to the general public, except that assistance in boarding and deplaning may be required.
 - (4) **Non-self-reliant** - a person who is incapable of self-care during a flight.
 - (5) **Determination of Self-reliance** - the carrier will normally accept the disabled persons determination as to self-reliance.
 - (6) **Assistant** - an able-bodied person physically capable of assisting a disabled passenger to an exit in the event of an emergency, and who will attend to the personal needs of that passenger during flight, where such is required.
 - (7) **Wheelchair-Bound Athlete** - a non-ambulatory person with upper body and arm development such as to make him/her physically capable of egressing an aircraft in an emergency with minimal assistance, and who is a member of a bona-fide sports organization.
 - (8) **Random Seating** - the assignment of any passenger seat on the main deck of an aircraft except a seat in a row of seats at an emergency exit.
 - (9) **Planned Seating** - the assignment of passenger seats at or near the end of an evacuation line to an exit which, in general, will be floor level exit.
- (B) **ACCEPTANCE OF DISABLED PASSENGER**
- (1) Carrier will refuse to transport or will remove at any point, any passenger whose mental or physical condition is such as to render him incapable of caring for himself without assistance, unless -
 - (a) he is accompanied by an attendant who will be responsible for caring for him enroute, and
 - (b) with the care of such attendant, he will not require unreasonable attention or assistance from employees of the carrier.

(Continued on next page)

For explanation of abbreviations, reference marks and symbols used but unexplained herein, see pages 7 and 8.

ISSUED: APRIL 27, 1984

EFFECTIVE: JUNE 15, 1984

(Printed in U.S.A.)

CORRECTION NO.

1717

Airline Tariff Publishing Company, Agent
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 15th Revised Page 3F
 Cancels 14th Revised Page 3E

RULE **SECTION I — GENERAL RULES**
33 TRANSPORT OF DISABLED PASSENGERS (Continued)
(B) ACCEPTANCE OF DISABLED PASSENGER (Continued)

(2) (Applicable to AC, CP, GX, ND, PV, PW, QS and UN only.) Disabled passengers will be accepted for transportation as outlined in the following:

Disability	Assistant Required	Maximum No. Per Flight
Blind	No	No limit
Deaf	No	No limit
Blind and deaf	Yes	No limit
Mentally Handicapped/Self-Reliant	No	No limit
Mentally Handicapped/Non-Self-Reliant	Yes	No limit
Ambulatory/Self-Reliant	No	No limit
Ambulatory/Non-Self-Reliant	Yes	No limit
Non-Ambulatory/Non-Self-Reliant	See Chart Below	No limit
Non-Ambulatory/Self-Reliant	See Chart Below	No limit

Non-Ambulatory/Non-Self-Reliant WCNC
Non-Ambulatory/Self-Reliant WCHP

	RANDOM SEATING		PLANNED SEATING		TOTAL RANDOM & PLANNED SEATING (Note 4)	MAXIMUM OF WCNC WITH AN ASSISTANT (Note 2)
	WCHP & WCNC (Note 2) WITHOUT AN ASSISTANT	ADDITIONAL WITH AN ASSISTANT	WCHP & WCNC (Note 2) WITHOUT AN ASSISTANT	ADDITIONAL WITH AN ASSISTANT		
B747	5	5	5	5	36	5
B747 Combi	7	7	7	7	28	4
L1011	6	6	6	6	24	4
L1011-500	4	4	4	4	16	3
DC-10	6	4	5	5	20	3
B767	4	3	3	3	13	2
DC8-6	4 (Note 1)	4	4	4	16	4
B727-200	3	2	2	4	11	4
B727-100	2	1	1	2	6	2
B727-100C (PW)	1	1	1	1	4	1
DC9	2	1	2	2	7	2
B737	3	2	2	2	9	2
B737 Combi (PW)	1	2	1	1	5	1
B737 Combi (ND)	1	1	No Planned Seating		2	1
BAC 111	1	1	1	1	4	1
PKF	1	1	No Planned Seating		2	1
CV580	1	1	No Planned Seating		2	1
HS748	2	2	No Planned Seating		4	1

NOTE 1: No more than 2 each per cabin on DC8's.

NOTE 2: WCNC passenger category must be attended. WCNC passengers must be included, computing total allowable in combined Planned and Random Seating.

NOTE 3: Planned Seating will be in accordance with Transport Canada Guidelines and published in airlines' publications.

NOTE 4: The number of disabled passengers and the number of attendants required may be altered by an air carrier in the case of handicapped athletes attending their sporting events.

(3) (a) MEDICAL CLEARANCE

Carrier reserves the right to require a medical clearance from the Company Medical Authorities if travel involves any unusual risk or hazard to the passenger or to other persons (including, in cases of pregnant passengers, unborn children).

(b) (Applicable to ND only) Carrier reserves the right to require a medical clearance from a medical authority if travel involves any unusual risk or hazard to the passenger or the other persons (including, in cases of pregnant passengers, unborn children).

(Continued on next page)

For explanation of abbreviations, reference marks and symbols used but unexplained herein, see pages 7 and 8.

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EFFECTIVE: JUNE 15, 1984

(Printed in U.S.A.)

CORRECTION NO.

1718

Airline Tariff Publishing Company, Agent
CANADIAN GENERAL RULES TARIFF NO. CQR-1

 18th Revised Page 39
 Cancels 17th Revised Page 39

RULE

SECTION I—GENERAL RULES**33 TRANSPORT OF DISABLED PASSENGERS (Continued)****(C) SEATING RESTRICTIONS**

Disabled passengers will not be permitted to occupy seats in designated emergency exit rows, over-wing emergency exit rows or where the ventral stair may have to be used as an emergency exit or the upper deck of the B747.

(D) Reservations should be made at least 24 hours in advance of travel, advising the carrier as to the nature of the disability and assistance required so that carrier arrangements can be made. Carrier will make every effort to accommodate passengers who fail to make reservations 24 hours in advance.

(E) ACCOMPANYING ASSISTANTS FARE

(1) (Applicable to AC and QM only.) An assistant accompanying a disabled passenger will be assessed 50% of the applicable fare, subject to the terms and conditions of such fare being met, and provided a medical certificate is presented at time of check in indicating prior approval from company medical authorities confirming disabled passengers need for an accompanying assistant.

(2) (Applicable to CP and ND only for transportation wholly within Canada.) When required by the carrier pursuant to paragraph (B)(2) above, one assistant accompanying a disabled passenger will be assessed 50 percent of the applicable fare, subject to the terms and conditions of such fare being met, and provided that a medical certificate confirming the disabled passenger's need for an accompanying assistant in a form acceptable to carrier is presented to carrier at time of check in.

(3) (Applicable to PW for transportation wholly within Canada.) During the period April 18, 1984 through October 28, 1984 inclusive when required pursuant to paragraph (B)(2) above, one assistant accompanying a disabled passenger will be assessed 50 percent of the applicable fare subject to the terms and conditions of such fare being met.

(4) (Applicable to PV only.) When required by the carrier pursuant to paragraph (B)(2) above, one assistant accompanying a disabled passenger will be assessed 50 percent of the applicable full economy class fare, subject to the terms and conditions of such fare being met, and provided that a medical certificate confirming the disabled passenger's need for an accompanying assistant in a form acceptable to carrier is presented to carrier at time of check in.

(F) ACCEPTANCE OF MOBILITY AIDS

In addition to the regular free baggage allowance provided in Rule 220, carrier will accept the following items which must be stowed in the Baggage Compartment:

- (1) manually operated wheelchairs and walkers
- (2) wheelchairs with nonspillable batteries with terminals disconnected and taped.
- (3) (Not applicable to AC, GX, ND, PV, QM or UH; not applicable to PW except for transportation on B767 aircraft and applicable to CP only for transportation on B747, DC-10-10 and DC 10-30 aircraft.)

wheelchairs with spillable wet cell batteries on certain types of aircraft with terminals disconnected and taped providing they can be securely fastened in an upright position and protected against contact with other articles. Carrier requires twenty-four hour notice for carriage of spillable wet cell battery operated wheelchair.

- (4) Crutches and canes may be retained in the passengers custody provided they are stowed in accordance with the carriers safety regulations.
- (5) (Applicable to AC only.) Wheelchairs with spillable wet cell batteries (A) on wide body aircraft such as B747 L101 when loaded in an LD3 baggage container in an upright position batteries must be disconnected at both terminals capped to prevent short circuits and must be secured to wheelchair with non-conductive material. (B) On narrow body aircraft such as DC9, DC8, B727 when stored in a kimpack battery kit container in a non upright position to protect against contact with other articles (containers available from carrier at no cost to passenger) carrier requires twenty four hours notice for carriage of spillable wet cell battery operated wheelchair.
- (6) (Applicable to GX only.) Wheelchairs with spillable wet cell batteries on Convair 580 Aircraft, when stored in a Kimpack Battery Kit Container in a non-upright position to protect against contact with other articles. Carrier requires 24 hours notice for carriage of spillable wet cell operated wheelchair.
- (7) (Applicable to QM only.) Wheelchairs with spillable wet cell batteries on B737, BAC 1-11 aircraft, when stored in a Kimpack Battery Kit Container in a non upright position to protect against contact with other articles (containers available from carrier at no cost to passenger) carrier requires 24 hours notice for carriage of spillable wet cell battery operated wheelchair.

(G) DOGS TRAINED TO LEAD THE BLIND AND/OR ASSIST THE DEAF

Carrier accepts for transportation, without charge a properly harnessed dog trained to lead the blind, and/or assist the deaf, when it accompanies a passenger with impaired vision/hearing dependent upon such dog. The dog will be permitted to accompany such passenger into the cabin, but will not be permitted to occupy a seat.

(H) Carrier is not liable for its refusal to transport any passenger or for its removal of any passenger in accordance with the preceding paragraphs of this Rule, but such carrier will at the request of the passenger, refund in accordance with Rule 260 (REFUNDS - INVOLUNTARY).

(I) (Applicable to PW only.) A disabled passenger may travel via any fare type offered subject to the terms and conditions of the governing rules for the fare type being used.

For explanation of abbreviations, reference marks and symbols used but unexplained herein, see pages 7 and 8.

ISSUED: APRIL 27, 1984

EFFECTIVE JUNE 15, 1984

(Printed in U.S.A.)

CORRECTION NO.

1719

TRANSPORT CANADA GUIDELINES FOR
TRANSPORTATION OF NON-AMBULATORY PASSENGERS BY AIR (5)

Old Rule 33

New Guidelines

Aircraft	Random Seating		Maximum Number	Random Seating + Planned Seating(3)				Maximum Number	Wheelchair Athletes(4)
	Unattended	Attended		Unattended	Attended	Unattended	Attended		
B747	12	12	24	9	9	9	9	36	54
747(combi)(1)	10	10	20	7	7	7	7	28	42
L1011	10	10	20	6	6	6	6	24	36
L1011(500)				4	4	4	4	16	24
DC10	10	10	20	6	4	5	5	20	30
767				4	3	3	3	13	20
DC8-S	8	8	16	4	4	4	4	16	24
727(200)	4	4	8	3	2	2	4	11	17
727(100)(new)				2	1	1	2	6	9
727(100)(combi)				1	1	1	1	4	6
DC9	2	2	4	2	1	2	2	7	11
737	4	4	8	3	2	2	2	9	14
737(P.W.combi)	2	2	4	1	2	1	1	5	8
737(Nord combi)				1	1	no planned seating(2)		2	4
BAC 111	2	2	4	1	1	1	1	4	6
707(Charter)				4	3	3	4	14	21

(1) Combi. - combination passengers and freight

(2) Due to aircraft configuration, cabin not readily accessible to pilots to aid cabin attendants in emergency.

(3) Planned Seating - Total unattended to be calculated now on the basis of random seating total unattended plus planned seating total unattended which in most cases increases the maximum number of unattended which can be carried; e.g. on the B747, total unattended now equals 9 + 9 or 18 in contrast with 12 under the old system.

(4) Air carriers may propose some variance on these numbers to allow for a mix of non-ambulatory and wheelchair athletes. Sports organizations would need to reserve well in advance to ensure special consideration.

(5) These guidelines will also apply to non-Canadian carriers operating in Canada as of July 1, 1983.

TRANSPORTATION OF DISABLED PASSENGERS

The following Recommended Practices are for the guidance of air carriers for the transportation of disabled passengers. The information and procedures hereunder have been developed from the tariff provisions - Rule 33 of some member air carriers.

It must be recognized that not all of these Recommended Practices can be adhered to by all air carriers because of the difference in size of aircraft operated.

(A) DEFINITIONS

Passengers shall be considered disabled when their physical, medical or mental condition requires individual attention on enplaning, deplaning, during flight, in an emergency evacuation or during ground handling which is normally not extended to other passengers.

1. Ambulatory - a person who is able to move about within an aircraft unassisted.
2. Non-Ambulatory - a person who is not able to move about within the aircraft unassisted.
3. Self-Reliant - a person who is independent, self-sufficient and capable of taking care of all physical needs during flight, and who requires no special or unusual on-board attention beyond that afforded to the general public, except that assistance in boarding and deplaning may be required.
4. Non-Self-Reliant - a person who is not capable of self-care during a flight - assistant (personal attendant) required.
5. Determination of Self-Reliance - the carrier will normally accept the disabled person's determination as to self-reliance.
6. Assistant (Personal Attendant) - an able-bodied person physically capable of assisting a disabled passenger to an exit in the event of an emergency, and who will attend to the personal needs of that passenger during flight, where such is required.
7. Wheelchair-Bound Athlete - A non-ambulatory person with upper body and arm development such as to make him/her physically capable of egressing an aircraft in an emergency with minimal assistance, and who is a member of a bona-fide sports organization.
8. Random Seating - the assignment of any passenger seat on the main deck of an aircraft except a seat in a row of seats at an emergency exit.
9. Planned Seating - the assignment of passenger seats at or near the end of an evacuation line to an exit which, in general, will be floor level exit.

ATAC

RECOMMENDED PRACTICE

MANUAL OF TRAFFIC CONFERENCE RESOLUTIONS

RESOLUTION NO. 7.2

SHEET NO. 2

EFFECTIVE: November 1, 1983

CORRECTION: 32

(B) ACCEPTANCE OF DISABLED PASSENGERS

1. Carrier will refuse to transport or will remove at any point, any passenger whose mental or physical condition is such as to render him incapable of caring for himself without assistance, unless -
 - (a) he is accompanied by an attendant who will be responsible for caring for him enroute, and
 - (b) with the care of such attendant, he will not require unreasonable attention or assistance from employees of the carrier.
2. Disabled passengers will be accepted for transportation as outlined in the following:

<u>Disability</u>	<u>Assistant Required</u>	<u>Max. No. Per Flight</u>
Blind	No	No limit
Deaf	No	No limit
Blind and Deaf	Yes	No limit
Ambulatory/Self-Reliant	No	No limit
Ambulatory/Non-Self-Reliant	Yes	No limit
Non-Ambulatory/Non-Self-Reliant	See Chart Below	
Non-Ambulatory/Self-Reliant	See Chart Below	

Non-Ambulatory/Non-Self-Reliant WCHC Non-Ambulatory/Self-Reliant WCHP

	<u>RANDOM SEATING</u> <u>WCHP & WCHC (Note 2)</u>		<u>PLANNED SEATING</u> <u>WCHP & WCHC (Note 2)</u>		<u>TOTAL</u> <u>RANDOM &</u> <u>PLANNED</u> <u>SEATING</u> <u>(Note 4)</u>	<u>MAXIMUM</u> <u>OF WCHC</u> <u>With</u> <u>Assistant</u> <u>(Note 2)</u>
	<u>Without</u> <u>Assistant</u>	<u>Additional</u> <u>with Assistant</u>	<u>Without</u> <u>Assistant</u>	<u>Additional</u> <u>With Assistant</u>		
8747	9	9	9	9	36	5
8747 Combi	7	7	7	7	28	4
L1011	6	6	6	6	24	4
L1011-500	4	4	4	4	16	3
DC-10	6	4	5	5	20	3
8767	4	3	3	3	13	2
DC8-S	4 (Note 1)	4	4	4	16	4
8727-200	3	2	2	4	11	4
8727-100	2	1	1	2	6	2
8727-100C (PW)	1	1	1	1	4	1
DC9	2	1	2	2	7	2
B737	3	2	2	2	9	2
B737 Combi (PW)	1	2	1	1	5	1
B737 Combi (ND)	1	1	No Planned Seating		2	1
8AC 111	1	1	1	1	4	1
FKF	1	1	No Planned Seating		2	1
CV580	1	1	No Planned Seating		2	1
NS748	2	2	No Planned Seating		4	1
		463				

- Note 1: No more than 2 each per cabin on DC8's.
- Note 2: WCHC passenger category must be attended. WCHC passengers must be included, computing total allowable in combined Planned and Random Seating.
- Note 3: Planned Seating will be in accordance with Transport Canada Guidelines and published in airlines' publications.
- Note 4: Wheelchair-bound athletes travelling to/from an organized sports meeting for the handicapped may be carried in excess of the numbers above but not in excess of 150% (plus $\frac{1}{2}$, if necessary to make a whole number) of that number. Under these conditions assistants are not required. In application this does not require that all non-ambulatory passengers on-board be wheelchair-bound athletes.
- Note 5: The above figures were computed from Transport Canada's Guidelines entitled "Carriage of Non-Ambulatory Passengers on Large Turbo-Jet Aeroplanes".

3. Carrier will transport passengers with mental disabilities
- (a) Accompanied mentally handicapped persons are accepted.
 - (b) Unaccompanied mentally handicapped passengers capable of self care are accepted.

4. Medical Clearance

Carrier reserves the right to require a medical clearance from the Company Medical Authorities if travel involves any unusual risk or hazard to the passenger or to other persons (including, in cases of pregnant passengers, unborn children). Individual carriers should be consulted as to their requirements.

(C) RESERVATIONS

Reservations should be made at least 24 hours in advance of travel, advising the carrier as to the nature of the disability and assistance required so that carrier arrangements can be made. Carrier will make every effort to accommodate passengers who fail to make reservations 24 hours in advance.

When making reservations for disabled passengers, airlines are to include the following information in the Passenger Name Record as an SSR item:

- BLND - Blind passenger, specify if accompanied by seeing eye dog
- DEAF - Deaf passenger, specify if accompanied by a dog trained to assist the deaf
- MEDA - Medical case, including stretcher (company medical clearance required)

- WCHR - R for Ramp - passenger can ascend/descend steps and make own way to/from cabin seat but requires wheelchair for distances to/from aircraft.
- WCHS - S for Steps - passenger cannot ascend/descend steps but is able to make own way to/from cabin seat. Requires wheelchair for distance to/from aircraft or mobile lounge and must be carried up/down steps.
- WCHP - P for Partially Immobile - passenger completely immobile but self-reliant. Requires wheelchair to/from aircraft/mobile lounge and must be carried up/down steps and to/from cabin seat. May travel without an attendant. (For travel on Canadian carriers only).
- WCHC - C for Cabin Seat - passenger completely immobile. Requires wheelchair to/from aircraft/mobile lounge and must be carried up/down steps and to/from cabin seat.
- Note: For non-Canadian carriers WCHP and WCHC are considered as WCHC. Indicate in the SSR item whether attendant required or not when travel involves a non-Canadian carrier.

(D) SEATING RESTRICTIONS

Disabled passengers will not be permitted to occupy seats in designated emergency exit rows, over wing emergency exit rows or where the ventral stair may have to be used as an emergency exit or the upper deck of the B747.

(E) ACCEPTANCE OF MOBILITY AIDS

In addition to the regular free baggage allowance, carrier will normally accept the following items which must be stowed in the Baggage Compartment:

1. manually operated wheelchairs and walkers
2. wheelchairs with nonspillable batteries with terminals disconnected and taped.
3. wheelchairs with spillable wet cell batteries on certain types of aircraft with terminals disconnected and taped providing they can be securely fastened in an upright position and protected against contact with other articles. Carrier requires twenty-four hour notice for carriage of spillable wet cell battery operated wheelchair - check with carrier for acceptance details.
4. crutches and canes may be retained in the passengers' custody provided they are stowed in accordance with the carriers safety regulations.

(F) DOGS TRAINED TO LEAD THE BLIND AND/OR ASSIST THE DEAF

Carrier accepts for transportation, without charge a properly harnessed dog trained to lead the blind, and/or assist the deaf, when it accompanies a passenger with impaired vision/hearing dependent upon such dog. The dog will be permitted to accompany such passenger into the cabin, but will not be permitted to occupy a seat.

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Special Passenger Processing

3 Boarding and Deplaning Assistance to
Passengers at Stations not covered in Section
2 above (cont.).13 Deplaning Assistance: (cont.)

- 2 Off Gate Parking: Same as item one above, except Passenger Service Personnel will be positioned at the foot of the aircraft stairs, accompany the first group of passengers to the terminal entrance area facing passengers as they enter the building, until all remaining passengers have deplaned.
- 3 Direct connecting passengers to appropriate gate, airline counter or TV screen for departure flight information.
- 4 Liaison with In-Flight Service: Except at Montreal and Toronto provide a copy of the DCF to the In-Charge Flight Attendant, prior to flight departure. (At Toronto and Montreal, the IFS bases obtain their own DCF).

.14 Boarding and Deplaning Wheelchair
Passengers:

1 PASSENGER SERVICE IS RESPONSIBLE FOR:

a Advising Aircraft Services personnel:

- When a wheelchair passenger is to be boarded or deplaned requiring aircraft services assistance.
- Type of wheelchair required
- Class (F/C or EY)
- Flight/Date

b Arranging for the passenger to be available in sufficient time to avoid delays and inconvenience to other passengers.

Traitement des passagers spéciaux

3 Assistance à l'embarquement et au
débarquement aux escales non énumérées au
paragraphe 2 ci-dessus (suite).13 Assistance au débarquement: (suite)

- 2 Stationnement éloigné de la porte: Comme ci-dessus, sauf que le personnel du service Passagers se place au pied de l'escalier de l'avion, accompagne le premier groupe de passagers jusqu'à l'aérogare et reste à l'entrée face aux passagers qui y entrent, jusqu'à la fin du débarquement.
- 3 Diriger les passagers en correspondance vers la porte d'embarquement, la compagnie aérienne ou l'écran de télévision approprié, pour tout renseignement sur le départ des vols.
- 4 Relation avec le Service en vol: Sauf à Montréal et Toronto, remettre une copie de la transaction DCF au chef de cabine avant le départ du vol. (À Toronto et Montréal, les bases du Service en vol obtiennent leur propre DCF).

.14 Passagers en fauteuil roulant:1 RESPONSABILITÉS DU PERSONNEL DU SERVICE
PASSAGERS:

a Informer les services Avions:

- Quand un passager en fauteuil roulant a besoin de l'assistance des services Avions à l'embarquement et au débarquement.
- Genre de fauteuil roulant voulu
- Classe (F/C ou EY)
- Vol/date

b S'assurer que le passager est disponible assez tôt pour éviter tout retard ou inconvénient aux autres passagers.

Special Passenger Processing

Traitement des passagers spéciaux

3 Boarding and Deplaning Assistance to Passengers at Stations not covered in Section 2 above (cont.)

.14 Boarding and Deplaning Wheelchair Passengers: (cont.)

- c Handling the wheelchair passenger within the Terminal Building (between the check-in counter and the aircraft boarding point), in cases where no physical interferences or lifting is involved, Passenger Agents will be required to push wheelchair cases through loading bridges to the aircraft door in the same manner as is employed while pushing the wheelchair through the Terminal Building.

2 AIRCRAFT SERVICES PERSONNEL ARE RESPONSIBLE FOR:

- a Handling wheelchair cases from the Terminal Building across the ramp and up into the aircraft.

In cases where Loading Bridges are involved and where there is physical interference (steep slopes) or lifting, Aircraft Services also handle the wheelchairs from the Terminal Building through the Loading Bridges.

NOTE 1: The WCHR (Walk ON/OFF wheelchair passenger) can walk between the aircraft boarding point and the aircraft entrance, including fixed stairs.

NOTE 2: Refer to the Ramp Operations Manual for each aircraft type for the handling of Washington Loading Chair.

- 3 At some terminals equipped with escalators, wheelchairs with small wheels, front and back, are used to safely convey handicapped passengers from one terminal level to another. Do not leave these passengers unattended because the wheelchairs with small rear wheels cannot be self-propelled. Offer to transfer these passengers into a self-propelled wheelchair while they remain in the terminal between flights.

3 Assistance à l'embarquement et au débarquement aux escales non énumérées au paragraphe 2 ci-dessus. (suite)

.14 Passagers en fauteuil roulant: (suite)

- c S'occuper des passagers en fauteuil roulant dans l'aérogare (entre le comptoir d'enregistrement et le point d'embarquement), lorsque la passerelle ne présente aucun obstacle ni ne nécessite le soulèvement du fauteuil. Les agents passagers sont tenus de pousser les passagers en fauteuil roulant sur la passerelle jusqu'à la porte de l'avion de la même manière que dans l'aérogare.

2 RESPONSABILITÉS DU PERSONNEL DES SERVICES AVIONS:

- a S'occuper des passagers en fauteuil roulant de l'aérogare à la passerelle et jusque dans l'avion.

Dans les cas où l'embarquement se fait par une passerelle et que celle-ci présente des obstacles (inclinaison marquée) ou nécessite le soulèvement du fauteuil, les services Avions sont également responsables des passagers en fauteuil roulant de l'aérogare à l'avion.

REMARQUE 1: Le passager WCHR (passager en fauteuil roulant partiellement impotent) peut, au besoin, marcher entre le lieu d'embarquement et l'avion et monter un escalier non mécanique.

REMARQUE 2: Voir la publication sur les consignes de piste relatives à chaque type d'appareil (Ramp Operations Manual) pour le mode d'emploi du Washington Invalid Loading Chair.

- 3 On utilise, dans certaines aérogares munies d'escaliers mécaniques, des fauteuils roulants avec de petites roues à l'avant et à l'arrière pour transporter sans danger les passagers handicapés d'un niveau à un autre de l'aérogare. Ne pas laisser ces passagers seuls, car ils ne peuvent manoeuvrer les fauteuils roulants munis de petites roues à l'arrière. Leur offrir des fauteuils roulants classiques pour le temps qu'ils doivent passer à l'aérogare entre deux vols.

Special Passenger Processing

Traitement des passagers spéciaux

4 Special Processing - Disadvantaged Passengers4 Traitement spécial - Passagers handicapés--.10 Definition of a Disadvantaged Passenger:

Passengers shall be considered handicapped when their physical, medical or mental condition requires individual attention on enplaning, deplaning, during flight, in an emergency evacuation or during ground handling which is normally not extended to other passengers.

--.10 Définition: Sont considérés comme handicapés les passagers dont l'état physique ou mental ou l'état de santé exige une attention particulière à l'embarquement, au débarquement, pendant le vol, en cas d'évacuation ou au sol qui n'est pas normalement fournie aux autres passagers.

- 1 AMBULATORY - a passenger who is able to move about within the aircraft cabin unassisted. This includes the blind, deaf, mentally retarded.
- 2 NON-AMBULATORY - a passenger who is not able to move about within the aircraft cabin unassisted.
- 3 SELF-RELIANT - the handicapped passenger is independent, self-sufficient and capable to take care of all his physical needs in flight. He requires no special or unusual attention beyond that afforded to the general public, except that he may require assistance in boarding and deplaning.
- 4 NON-SELF-RELIANT - the handicapped passenger is incapable of self-care during the flight; he depends upon another person to look after his physical needs. Thus the non-self-reliant handicapped person requires a personal attendant.

Airlines will normally accept the handicapped passengers determination of whether he/she is self-reliant or not.

- 1 Le passager AMBULATOIRE peut se déplacer seul dans la cabine. Sont considérés comme passagers ambulatoires notamment les aveugles, les sourds et les déficients mentaux.
- 2 Le passager NON AMBULATOIRE ne peut se déplacer seul dans la cabine.
- 3 Le passager handicapé AUTONOME est indépendant et capable de s'occuper de lui-même une fois dans l'avion. Il n'exige aucune attention autre que celle prodiguée au public en général, si ce n'est l'assistance à l'embarquement et au débarquement.
- 4 Le passager handicapé NON AUTONOME est incapable de s'occuper de lui-même durant le vol; une autre personne doit voir à ses besoins personnels. Le passager handicapé non autonome doit donc se faire accompagner.

Les transporteurs aériens se fient généralement à la définition du handicapé, qui se dit autonome ou non.

- 5 PERSONAL ATTENDANT - is any able-bodied adult having use of all limbs and eyesight, who is physically capable of assisting the handicapped person to an exit in the event of an emergency and attending to the personal needs of the handicapped passenger during flight.

- 5 ACCOMPAGNATEUR - Tout adulte ayant l'usage de ses membres et de ses yeux, physiquement capable d'amener une personne handicapée vers une issue de secours en cas d'urgence et qui voit aux besoins personnels de ce passager pendant le vol.

.11 Exercising Care in Handling Disadvantaged Passengers: The following guidelines should be observed:.11 Précautions: Appliquer les directives suivantes:

- 1 Passengers with physical disabilities should not be required to stand for undue lengths of time, and should be boarded early.
- 2 Casts should be propped up, whenever feasible.
- 3 Listen carefully and give full attention to passengers with speech and communication problems.

- 1 Les infirmes ne doivent pas rester longtemps debout et doivent monter à bord les premiers
- 2 Suggérer de caler le plâtre si possible.
- 3 Écouter très attentivement le passager souffrant de problèmes d'élocution ou de communication.

Special Passenger Processing

Traitement des passagers spéciaux

4 Special Processing - Disadvantaged Passengers
(cont.)4 Traitement spécial - Passagers handicapés
(suite).11 Exercising Care in Handling Disadvantaged Passengers: (cont.).11 Précautions: (suite)

- 4 When understanding is difficult, stand in front of the passenger, speak slowly, use short, simple phrases, and use appropriate gestures.
- 5 Paralyzed persons, who may have lost all sensation in one or more limbs, should be moved very carefully, as damage inflicted on the paralyzed limb may not be noticed.
- 6 People with weaknesses on one side of their bodies, should move or be moved toward their strong side; this is easier and safer.
- 7 When assisting a passenger to put on or take off a coat, dress the weak arm first, and undress the weak arm last.
- 8 Lead a blind person by letting him hold your arm.
- 9 Do all possible to avoid separating handicapped passengers from their attendants. Attendants who have accompanied a handicapped passenger to the airport but are not travelling, may be permitted to accompany the passenger to the gate area. ACF602 Terminal Departures Area Pass may be used to authorize passage through Security Controls subject to local agreement.

- 4 Si le passager a un problème de compréhension, se tenir devant lui, parler lentement au moyen de phrases courtes et simples et utiliser les gestes appropriés.
- 5 Le paralytique dont au moins un membre est insensible doit être déplacé avec grand soin, car une blessure à ce membre peut ne pas être évidente.
- 6 Si un passager souffre de faiblesses à un côté du corps, il est plus facile et plus sûr de le déplacer, ou de le faire déplacer, vers son côté fort.
- 7 En aidant un passager à mettre son manteau, commencer par le bras faible; pour l'aider à l'enlever, terminer par le bras faible.
- 8 Pour guider un aveugle, lui laisser tenir le bras.
- 9 Veillez à ce que les passagers handicapés ne soient pas séparés de leur accompagnateur. Les personnes accompagnant des handicapés à l'aéroport sont autorisées à rester avec ceux-ci jusqu'à l'embarquement. L'imprimé 602 - Laissez-passer - Zone des départs - peut être utilisé pour leur permettre de passer le contrôle de sécurité, sous réserve des ententes locales.

.12 How to put a Disadvantaged Passenger into a Wheelchair:.12 Installation dans un fauteuil roulant:

- 1 Move the wheelchair as close to the passenger as possible.
 - 2 Lock the brakes of the wheelchair. If the wheelchair has no brakes, have someone hold it steady.
 - 3 Ask the passenger if he/she prefers support at the waist, or under the arms.
 - 4 Stand directly in front of the passenger. Keep your feet apart, one foot forward, knee flexed. In this position, lift from your legs, not from your back.
- .13 Blind Passengers: Blind passengers are usually self-reliant. It can be assumed that a blind passenger, who needs assistance in-flight, will be accompanied by an attendant. There is no limit on the number of blind passengers that may be carried on a flight.

- 1 Approcher le fauteuil le plus près possible du passager.
- 2 Bloquer les roues. En l'absence de freins, demander à quelqu'un de tenir fermement le fauteuil.
- 3 Demander au passager s'il préfère être soutenu à la taille ou aux aisselles.
- 4 Se tenir directement devant le passager, les jambes écartées, un pied devant et le genou fléchi. Dans cette position, retenir le passager avec la force des jambes, et non celle du dos.

- .13 Aveugles: Les aveugles sont habituellement autonomes. On présume qu'un aveugle ayant besoin d'assistance dans l'avion voyage accompagné. Il n'y a aucune limite au nombre d'aveugles par vol.

81 12 15

Special Passenger Processing

4 Special Processing - Disadvantaged Passengers
(cont.)

- .14 Deaf Passengers: Self-reliant. Would not normally require an attendant. No limit on the number of deaf passengers that may be carried on a flight.
- .15 *Dogs Trained to Lead the Blind and to Assist the Deaf Passengers: Carrier accepts for transportation, without charge a dog trained to lead the blind, assist the deaf, properly harnessed, when it accompanies a passenger with impaired vision/hearing dependent upon such dog. The dog will be permitted to accompany such passenger into the cabin, but will not be permitted to occupy a seat. Normally a maximum of two "assist" dogs will be accepted per flight, however, up to four can be carried provided that prior approval has been obtained from POC (Payload and Operations Control), who will evaluate load level, length of flight, availability of alternate flights, etc.

These dogs do not require inspection by a veterinarian when arriving in Canada from transborder or international flights. The inspection will be performed by the Customs Officer, eliminating the need to pay special services charges and inconvenience to the passenger.

When "assist" dogs cannot be approved for carriage in the passenger cabin, arrangements may be made for them to be carried in a baggage compartment subject to normal handling requirements. Assist dogs are carried with no charge when accompanying a passenger in the cabin or carried in the baggage compartment. Normal charges apply on the purchase of a "Kloud Kennel" if not supplied by the passenger. (Blind and deaf persons with "assist" dogs will be shown as OSI on passenger manifest).

EXCEPTION: All warm blooded animals, including seeing-eye dogs, entering the United Kingdom, must travel in the compartment as manifested Air Freight. They will be quarantined for 6 months after arrival. Animals transitting the U.K. will be accommodated in the animal shelter at LHR if the transit time is in excess of 2 hours.

*50-4

Traitement des passagers spéciaux

4 Traitement spécial - Passagers handicapés
(suite)

- .14 Sourds: Ces passagers sont autonomes et n'exigent habituellement pas d'assistance. Il n'y a aucune limite au nombre de sourds par vol.
- .15 *Chien-guide - Sourds et aveugles: Le transporteur accepte de transporter gratuitement le chien-guide qui accompagne un sourd ou un aveugle, à condition qu'il soit en laisse. Le chien-guide peut accompagner le passager en cabine mais ne peut occuper un siège. On n'accepte habituellement pas plus de deux chiens pour un même vol, mais le nombre peut aller jusqu'à quatre avec l'autorisation préalable du Contrôle Charge marchande et Exploitation, après évaluation de facteurs tels que la charge, la durée du vol et la disponibilité d'autres vols.

Dans le cas de vols transfrontière ou internationaux, les chiens-guides ne doivent pas être examinés par un vétérinaire à leur arrivée au Canada. Un agent de douanes se charge de l'examen, supprimant ainsi les frais pour services spéciaux et l'inconvénient que cela représente pour le passager.

Si le transport d'un chien-guide en cabine est refusé, des dispositions seront prises pour le transporter dans une soute à bagages conformément aux modalités habituelles. Les chiens-guides sont transportés gratuitement, que ce soit en cabine ou dans la soute à bagages. Les frais habituels d'achat d'une cage d'Air Canada s'appliquent si le passager n'en fournit pas une. Les aveugles ou les sourds accompagnés d'un chien font l'objet d'une entrée OSI dans le manifeste passagers.

EXCEPTION: Tous les animaux à sang chaud, y compris les chiens-guides d'aveugles, se rendant au Royaume-Uni doivent voyager dans la soute comme fret aérien. À l'arrivée, ils sont mis en quarantaine pour six mois. Les animaux en transit au Royaume-Uni sont gardés dans un abri spécial à LHR quand l'escale dure plus de 2 heures.

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Special Passenger Processing

Traitement des passagers spéciaux

4 Special Processing - Disadvantaged Passengers** (cont.).15 *Dogs Trained to Lead the Blind and to Assist the Deaf Passengers: (cont.)

NOTE 1: When boarding or deplaning with a blind person who is accompanied by a guide dog, walk on his right side, allowing him to take your elbow. The dog will heel beside his master. Keep in mind that under such conditions, the dog no longer assumes his responsibilities as a guide, and therefore cannot take the master around obstacles that may be in the way.

This is the sole responsibility of the person doing the guiding.

NOTE 2: You need not be fearful in approaching Seeing Eye dogs. They are taught to accept strangers calmly, are frequently exposed to new situations and people. However, they should not be touched or petted.

NOTE 3: Airline personnel should not feed or water guide dogs. This will minimize any tendency to airsickness and keep the dog comfortable during flight.

- .16 Cerebral Palsy Victim: These persons are mentally alert and capable, but suffer severe speech and mobility problems. There are no restrictions on the carriage of these passengers. To understand their speech, which is very slow, and to talk to them, stand in front of the passenger; listen carefully and do not hurry the passenger; speak slowly using short, simple phrases, and use gestures.

NOTE: Victims of Cerebral Palsy suffer varying degrees of affliction; some may not be able to walk or feed themselves without assistance. Passengers afflicted to that extent must be accompanied by a responsible adult.

4 Traitement spécial - Passagers handicapés** (suite).15 *Chien-guide - Sourds et aveugles: (suite)

REMARQUE 1: Comportement vis-à-vis d'un aveugle: Lorsqu'on vient en aide à un aveugle accompagné d'un chien-guide à l'embarquement et débarquement, marcher à la droite de l'aveugle et lui donner le coude. Le chien marche à côté de son maître. Il faut se rappeler que dans pareil cas c'est l'agent, et non pas le chien, qui sert de guide à l'aveugle et l'aide à contourner les obstacles.

La personne qui accompagne l'aveugle est entièrement responsable de ce dernier.

REMARQUE 2: Comportement vis-à-vis du chien: S'approcher sans crainte d'un chien-guide, car il a appris à rester calme devant les inconnus et fait constamment face à de nouvelles situations et personnes. Il ne faut toutefois ni le toucher ni le caresser.

REMARQUE 3: Ne donner ni nourriture ni eau au chien-guide. On réduit ainsi au minimum les risques de mal de l'air tout en contribuant au bien-être du chien pendant le vol.

- .16 Victimes d'encéphalopathie: Ces personnes sont intellectuellement actives, mais souffrent de graves problèmes d'élocution et de motricité. Aucune restriction ne s'applique au transport de ces passagers. Comme ils parlent très lentement, il faut pour les comprendre et leur parler se tenir devant eux; il faut de plus les écouter attentivement et sans les presser et leur parler lentement au moyen de phrases courtes et simples en utilisant des gestes.

REMARQUE: Le degré de l'encéphalopathie est variable: les passagers incapables de marcher ou de manger sans aide doivent être accompagnés d'un adulte responsable.

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Special Passenger Processing

4 Special Processing - Disadvantaged Passengers** (cont.)

.17 Children, Unaccompanied (Self-Reliant):
This handling applies to children under 12 years of age.

- 1 Under 5 years of age: will not be carried on AC flights unless accompanied by an adult (12 years of age and over).
- 2 Ages 5 through 8 inclusive: approval of Duty Manager (or as delegated) is required on all AC flights. The following restrictions will apply:
 - a on all services the child must hold confirmed reservations through to destination.
 - b must be accompanied by parent or guardian to the airport.
 - c must be met and taken into the custody of a responsible adult at stopovers and destination.
 - d information in writing showing name and address of responsible party should be in possession of child, ACF672.
 - e during flight and at non-connection en route points. The flight attendant will be responsible for the child.
 - f at connection points and during prolonged en route delays. (See Note.) The airport passenger agent will be responsible for the child.
- 3 ages 9 through 11 inclusive no restrictions re Duty Manager approval but points A through F apply.

-- NOTE: Unaccompanied minors will be accepted for interline travel within Canada provided:

- The connection time at the intermediate point does not exceed four hours.
- that unaccompanied minors will be delivered to the receiving interline carrier as soon as possible after flight arrival.

Notwithstanding the above, circumstances may prevail whereby the connection time exceeds four hours. Under these circumstances, it will be the responsibility of the delivering carrier to retain custody of the child until four hours prior to schedule flight departure at which time the child may be delivered to the receiving interline carrier.

Traitement des passagers spéciaux

4 Traitement spécial - Passagers handicapés** (suite)

.17 Enfants non accompagnés (autonomes): Les dispositions suivantes s'appliquent aux enfants de moins de 12 ans.

- 1 Enfants de moins de 5 ans: ils ne seront pas acceptés sur les vols AC sauf s'ils sont accompagnés d'un adulte (12 ans et plus)
- 2 Enfants de 5 à 8 ans inclusivement: L'autorisation du Directeur de district ou de son délégué est nécessaire pour tous les vols d'Air Canada. De plus, les restrictions suivantes s'appliquent:
 - a sur tous les services l'enfant doit avoir des places réservées jusqu'au point de destination;
 - b il doit être accompagné à l'aéroport par son père, sa mère ou son tuteur;
 - c il doit aux arrêts et à destination, être attendu par un adulte responsable qui le prendra sous sa garde;
 - d il doit posséder un papier sur lequel sont écrits le nom et l'adresse de la personne qui est responsable de lui, (ACF672);
 - e pendant le vol et aux escales où il n'y a pas de correspondance, l'agent de bord sera responsable de l'enfant;
 - f aux points de correspondance et lorsque les retards se prolongent en cours de voyage, l'agent passagers de l'aéroport sera responsable de l'enfant. (Voir la remarque.)
- 3 enfants âgés de 9 à 11 ans inclusivement: l'autorisation du Chef de district n'est pas nécessaire mais les points A à F s'appliquent.

-- REMARQUE: Les enfants non accompagnés sont acceptés au transport intercompagnies au Canada dans les conditions suivantes:

- Le temps de correspondance au point intermédiaire ne dépasse pas 4 heures.
- L'enfant est confié au transporteur prenant le plus tôt possible après l'arrivée du vol.

Nonobstant ce qui précède, il peut arriver que le temps de correspondance dépasse 4 heures. Dans ce cas, la responsabilité de l'enfant incombe au transporteur cédant jusqu'à 4 heures avant l'heure de départ prévue du vol de correspondance; à ce moment-là, l'enfant peut alors être confié au transporteur prenant.

Special Passenger Processing

Traitement des passagers spéciaux

4 Special Processing - Disadvantaged
Passengers** cont.).17 Children, Unaccompanied (Self-Reliant):
(cont.)

- 4 All unaccompanied children under the age of 12 years are required to have a Request for Airline Carriage of Unaccompanied Minor, ACF672. This is to be prepared at time of ticket issuance and the ticket is to be attached to the cover.
 - a The first page should be given to the parent or guardian at departure.
 - b The original is to be kept at the Originating Station on file for 2 months. Copies are included for:
 - i The Flight Attendant originating flight
 - ii The destination airport.
 - iii The point of transfer airport (if required)
 - iv The Flight Attendant - connecting flight
 - v The passenger copy
- 5 If the child does not have an ACF672 at check-in time, complete the form and staple the ticket to the inside front cover. Affix a "UM" Button (Item n° 9995021023) on a prominent area of the child's clothing. It will alert en route passenger agents to the need for special assistance.

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4 Traitement spécial - Passagers handicapés**
(suite).17 Enfants non accompagnés (autonomes):
(suite)

- 4 Tous les enfants de moins de 12 ans non accompagnés doivent être munis d'une Demande de transport - Mineur non accompagné (ACF672), à remplir lors de l'émission du billet. La page couverture doit être annexée au billet.
 - a La page couverture est remise au parent ou au tuteur au moment du départ.
 - b L'original est conservé dans les dossiers de l'escale d'origine pendant deux mois. Les exemplaires sont diffusés comme suit:
 - i Agent de bord du vol d'origine
 - ii Aéroport de destination
 - iii Aéroport de transit (s'il y a lieu)
 - iv Agent de bord - vol de correspondance
 - v Passager
- 5 Si l'enfant se présente à l'enregistrement sans l'imprimé ACF672, en remplir un et agraffer le billet à la page couverture de l'imprimé. Poser une insigne "UM" (pièce n° 9995021023) bien à la vue sur le vêtement de l'enfant, afin d'attirer l'attention des agents Passagers des escales suivantes sur le besoin d'assistance spéciale.

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Special Passenger Processing

Special Processing - Disadvantaged Passengers** (cont.)

17 Children, Unaccompanied (Self-Reliant): (cont.)

6 Information regarding each unaccompanied child under 12 years of age must be included in the pre-flight advice given to the Flight Attendant with the use of ACF672.

7 The child must be delivered into the flight attendant's personal care before flight departure.

8 Parent or guardian accompanying the child to the airport will remain at the airport until the flight has departed.

18 Children, Unaccompanied (Self-Reliant) - Irregular Operations:

1 ONLINE: AC will advise contact at destination if child is to arrive at destination by other than original flight. If unable to reach contact at destination we will advise contact at origin city.

2 INTERLINE:

a When delivering flight is irregular,
Delivering Carrier:

- may bear expenses

- will advise contact at destination (if child is to arrive at destination by other than original flight). If unable to reach contact at destination, will advise contact at origin city:

- will advise receiving carrier of alternate arrangements, if any.

Traitement des passagers spéciaux

4 Traitement spécial - Passagers handicapés** (suite)

.17 Enfants non accompagnés (autonomes): (suite)

6 Les renseignements sur chaque enfant non accompagné de moins de 12 ans doivent faire partie de l'avis donné à l'agent de bord avant le départ et être consignés sur un ACF672.

7 L'enfant doit être confié personnellement à l'agent de bord avant le départ.

8 Le père, la mère ou le tuteur de l'enfant doit demeurer à l'aéroport jusqu'au départ de l'avion.

.18 Enfants non accompagnés (autonomes) - Irregularités d'exploitation:

1 TRANSPORTEUR UNIQUE: Si l'enfant doit arriver à destination par un vol autre que le vol prévu, Air Canada doit avertir la personne responsable au point de destination. S'il n'est pas possible d'entrer en contact avec cette dernière, avertir la personne responsable au point de départ.

2 VOL INTERCOMPAGNIES:

a Quand le vol amenant l'enfant à une première escale n'est pas le vol prévu, le transporteur cédant

- peut assumer les frais

- doit avertir la personne responsable au point de destination. S'il n'est pas possible d'entrer en contact avec cette dernière, le transporteur cédant doit avertir la personne responsable de l'enfant au point de départ;

- doit renseigner le transporteur prenant sur les dispositions de rechange éventuelles;



DECLARATION

In requesting the carrier(s) to undertake the carriage of the unaccompanied minor named on the face hereof, I agree:

I confirm that I have arranged for the abovementioned minor to be accompanied to the airport on departure and to be met at stopover point and on arrival by the persons named. These persons will remain at the airport until the flight has departed and/or be available at the airport at the scheduled time of arrival of the flight.

Should the minor not be met as stated on the face hereof, I authorize the carrier(s) to take whatever action they consider necessary to ensure the minor's safe custody including return of the minor to the airport of departure, and I agree to indemnify and reimburse the carrier(s) for the necessary and reasonable costs and expenses incurred by them in taking such action.

I certify that the minor is in possession of all travel documents (passport, visa, health certificate, etc.) required by applicable laws.

To indemnify and hold harmless the carrier or carriers, their employees and agents from and against loss or damage sustained and cost and expense incurred by them in connection with the minor's travel or resulting therefrom and to release and indemnify them and hold them harmless from and against all liability other than set forth in their general conditions of carriage or tariffs.

DÉCLARATION

En raison de ma demande de transport du mineur non accompagné désigné au recto, je déclare ce qui suit:

Je confirme avoir pris les dispositions nécessaires pour que le mineur désigné au recto soit accompagné à l'aéroport de départ et qu'il soit accueilli aux arrêts éventuels et à l'arrivée par les personnes nommées à cet effet. Celles-ci resteront à l'aéroport jusqu'au départ de l'avion ou y seront à l'heure d'arrivée prévue du vol.

Si le mineur n'est pas accueilli selon les indications portées au recto, j'autorise le ou les transporteurs à prendre toutes les mesures nécessaires pour assurer la bonne garde du mineur, y compris son retour à l'aéroport de départ, et j'accepte alors d'indemniser les transporteurs et de rembourser les dépenses raisonnables qu'ils pourraient engager à cette fin.

Je certifie que le mineur est en possession de tous les documents de voyage exigés par la législation applicable (passport, visa, certificat de vaccination, etc.).

J'accepte de garantir les transporteurs, leurs employés et agents contre toute perte ou tout dommage subi ou tous frais engagés pour le transport du mineur ou en résultant et de les décharger de toutes responsabilités autres que celles qui sont définies dans leurs conditions générales de transport ou dans leurs tarifs publiés.

AIR CANADA  REQUEST FOR CARRIAGE - Unaccompanied Minor DEMANDE DE TRANSPORT - Mineur non accompagné		Person leaving at DEPARTURE Accompanying AU DÉPART par		I, the undersigned parent or guardian of the abovementioned minor, agree to and request the unaccompanied carriage of the minor named above and certify that the information provided is accurate. I accept the conditions of carriage as set forth on the reverse side of this form. Je soussigné(e) père, mère, tuteur ou tutrice du mineur désigné ci-dessus, demande que son séjour de transport de cet enfant non accompagné et accepte les conditions indiquées au verso. Je certifie que les renseignements fournis sont exacts.
Name Nom		Name Nom		
Given Name(s) Prénoms		Address Adresse		
Signature Signature		Signature Signature		
Age Age		Person meeting at STOPOVER Person en charge à L'ARRÊT par		Name Nom
From De		Name Nom		
To À		Address Adresse		
Signature Signature		Signature Signature		
From De		Person meeting at DESTINATION Accompagné à DESTINATION par		Signature Signature
To À		Name Nom		
Signature Signature		Address Adresse		
Signature Signature		Signature Signature		
From De		Signature Signature		DEPARTURE AIRPORT
To À		Signature Signature		ARRIVÉE DE DÉPART

Special Passenger Processing

4 Special Processing - Disadvantaged Passengers
(cont.).18 Children, Unaccompanied (Self-Reliant) -
Irregular Operations: (cont.)

- One hour prior to departure of receiving flight will deliver child to custody of Receiving Carrier.

b When receiving flight is irregular, Receiving Carrier:

- will assume custody of child
- will make alternative arrangements if necessary
- will advise contact at destination (if child is to arrive at destination by other than original flight). If unable to reach contact at destination, will advise contact at origin city;
- original receiving carrier will assume role of delivering carrier when onward transportation by a third carrier is involved.

.19 Incubator baby: Non Self-reliant. Delivery to and from the aircraft and unloading at origination, destination and intermediate connecting points (regardless of duration of connection), will be handled by ambulance attendants engaged for the purpose by the passenger or his/her associates. The Passenger Agent will take the following action:

- 1 AT BOARDING POINT: At time of check-in, determine whether or not the family or others in authority have reserved an ambulance for use on arrival at final destination and at any intermediate connecting points. Include the name of the ambulance service reserved, in the CSDX message. If an ambulance has not been reserved, advise the responsible persons that you will arrange for ambulance service to be provided at their expense. (See 4.19-2 for ordering an ambulance at CNX point or OFD through use of the CSDX).

Traitement des passagers spéciaux

4 Traitement spécial - Passagers handicapés
(suite).18 Enfant non accompagnés (autonomes) -
Irregularités d'exploitation: (suite)

- doit remettre l'enfant à la garde du transporteur prenant, une heure avant le départ de l'avion de ce dernier.

b Quand le deuxième tronçon du voyage ne s'effectue pas par le vol prévu, le transporteur prenant

- doit assurer la garde de l'enfant
- doit prendre d'autres dispositions si besoin est
- doit avertir la personne responsable de l'enfant au point de destination. S'il est possible d'entrer en contact avec cette dernière, le transporteur prenant doit avertir la personne responsable au point de départ;
- quand le voyage se poursuit avec un troisième transporteur, la deuxième compagnie ayant pris l'enfant en charge à l'égard de celle-ci, joue le rôle de transporteur cédant.

.19 Bébés en couveuses: Non autonomes. Leur transport entre l'aérogare et l'avion au départ à destination et éventuellement aux points de correspondance (quelle que soit sa durée) incombe à des ambulanciers engagés par le client. L'agent Passagers doit prendre les mesures suivantes:

- 1 AU POINT D'EMBARQUEMENT: Au moment de l'enregistrement, déterminer si la famille ou d'autres personnes mandatées ont réservé une ambulance à destination et aux points éventuels de correspondance. Dans l'affirmative, indiquer le nom du service ambulancier dans le message CSDX. Dans la négative, informer les personnes responsables qu'une ambulance sera réservée à leur frais. (Voir l'article 4.19 paragraphe 2 - comment réserver une ambulance au point de correspondance ou à destination au moyen du message CSDX).

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Special Passenger Processing

4 Special Processing - Disadvantaged Passengers (cont.)**.19 Incubator baby: (cont.)**

- 2 AT CONNECTING POINT AND AT DESTINATION:** Upon receipt of the CSDX message, advise Aircraft Services of the existence of the Incubator baby (provide passenger's name, flight number, class) and the name of the ambulance service reserved or being booked by you in accordance with a request contained in the CSDX message.

EXCEPTION: There may be occasions when ambulance service for an Incubator baby may not be necessary. Such exemption should have a doctor's prior approval.

- .20 Mentally ill: Non Self-reliant.** Require an attendant. No limit on the number that may be carried on a flight.

- .21 Mentally Retarded:** May be self-reliant. If so, will have been approved by Company Medical Officer for travel unaccompanied. Document the unaccompanied mentally retarded passenger as an unaccompanied child; use the ACF672-1 and the Unaccompanied Minor Pouch, item No. 99950Z 1010.

- .22 Stretcher Passenger: Non Self-reliant.** Requires an attendant. Limited to one stretcher passenger per flight. Delivery to and from the aircraft and unloading at origination, destination and intermediate connecting points (regardless of duration of connection), will be handled by ambulance attendants engaged for the purpose by the passenger or his/her associates. The Passenger Agent will take the following action:

- 1 AT BOARDING POINT:** At time of check-in, determine whether or not the passenger or his associates have reserved an ambulance for use on arrival at final destination and at any intermediate connecting points. Include the name of the ambulance service reserved, in the CSDX message. If an ambulance has not been reserved, advise the passenger that you will arrange for ambulance service to be provided at his expense. (See 2 below)

Traitement des passagers spéciaux

4 Traitement spécial - Passagers handicapés (suite)**.19 Bébés en couveuses: (suite)**

- 2 AU POINT DE CORRESPONDANCE ET À DESTINATION:** À la réception du message CSDX, informer les services Avions de l'arrivée d'un bébé en couveuse (en donnant le nom du passager, le numéro du vol et la classe) et communiquer le nom du service ambulancier réservé au départ, ou à la réception du message CSDX.

EXCEPTION: Il peut arriver que le transport d'un bébé en couveuse n'exige pas d'ambulance; il faut alors l'autorisation préalable d'un médecin.

- .20 Malades mentaux: Non autonomes,** ces passagers doivent être accompagnés. Il n'y a aucune limite au nombre de malades mentaux par vol.

- .21 Déficients mentaux:** Certains sont autonomes. Ils peuvent voyager non accompagnés sur l'autorisation du médecin de la Compagnie. Remplir alors les mêmes documents que pour un enfant non accompagné.

- .22 Passagers en civières:** Non autonomes, ces passagers doivent être accompagnés. Leur nombre se limite à un par vol. Leur transport entre l'aérogare et l'avion, au départ, à destination et éventuellement aux points de correspondance (quelle que soit sa durée), incombe à des ambulanciers engagés par le client. L'agent Passagers doit prendre les mesures suivantes:

- 1 AU POINT D'EMBARQUEMENT:** Au moment de l'enregistrement, déterminer si le passager ou d'autres personnes mandatées ont réservé une ambulance à destination et aux éventuels points de correspondance. Dans l'affirmative, indiquer le nom du service ambulancier dans le message CSDX. Dans la négative, informer les personnes responsables qu'une ambulance sera réservée à leurs frais. (Voir paragraphe 2)

Special Passenger Processing

Traitement des passagers spéciaux

4 Special Processing - Disadvantaged Passengers* (cont.).22 Stretcher Passenger: (cont.)

- 2 AT CONNECTING POINT AND AT DESTINATION:
Upon receipt of the CSDX message advise Aircraft Services of the existence of the stretcher case (provide passenger's name, flight number, class) and the name of the ambulance service reserved of being booked by you in accordance with a request contained in the CSDX message.

EXCEPTION: If a second stretcher case has been reserved on a flight, it will have been authorized by POC (Payload and Operations Control - Dorval).

.23 WCHP-Wheelchair-P for Paraplegic:

Paraplegic self-reliant wheelchair passenger:

- Passengers completely immobile but self-reliant; requires wheelchair to/from aircraft/mobile lounge and must be carried up or down steps to/from cabin seat.
- This category of wheelchair passenger is rehabilitated, self-reliant and capable of taking care of all physical needs in flight. He will have taken precautions to avoid the necessity of using the aircraft washrooms, and requires no special or unusual attention (except boarding and deplaning assistance) beyond that afforded the general public. May travel without a personal attendant as is shown in Chart 4.28.

.24 WCHC-Wheelchair-C for Cabin Seat:

Paraplegic/Quadraplegic-NON-self-reliant:

- Passenger completely immobile; requires wheelchair to/from aircraft/mobile lounge and must be carried up/down steps and to/from cabin seat.

4 Traitement spécial - Passagers handicapés* (suite).22 Passagers en civières: (suite)

- 2 AU POINT DE CORRESPONDANCE ET À DESTINATION: À la réception du message CSDX, informer les services Avions de l'arrivée d'une civière (en donnant le nom du passager, le numéro du vol et la classe) et communiquer le nom du service ambulancier réservé au départ, ou à la réception du message CSDX.

EXCEPTION: On n'admet sur un même vol un second passager en civière que sur l'autorisation de la direction Contrôle charge marchande et exploitation (à Dorval).

.23 Passager en fauteuil roulant WCHP - P pour paraplégique:

Passager paraplégique autonome en fauteuil roulant:

- Le passager est paralysé mais autonome; il a besoin d'un fauteuil roulant pour se rendre à l'avion ou au salon mobile et en revenir, et doit être porté dans les escaliers et pour ses déplacements dans l'avion.
- Il s'agit de passagers rééduqués, autonomes et capables de s'occuper d'eux-mêmes dans l'avion. Ils prennent avant le départ les précautions voulues pour éviter les déplacements aux toilettes; en fait, ils n'exigent aucune attention autre que celle prodiguée au public en général, si ce n'est l'assistance à l'embarquement et au débarquement. Ils peuvent voyager seuls comme l'indique le tableau de l'article 4.28.

.24 Passager en fauteuil roulant WCHC - C pour cabine:

Passager paraplégique ou quadriplégique NON autonome:

- Le passager est complètement impotent; il a besoin d'un fauteuil roulant pour se rendre à l'avion ou au salon mobile et en revenir, et doit être porté dans les escaliers et pour ses déplacements dans l'avion.

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Special Passenger Processing

4 Special Processing - Disadvantaged Passengers* (cont.)

.24 WCHC-Wheelchair-C for Cabin Seat: (cont.)

- This category of wheelchair passenger differs from the WCHP (see above) in that he suffers an additional physical/mental disability and is incapable of self-care in the flight. He is not self-reliant. This category of passenger must be accompanied by an attendant. Maximum WCHC's per flight shown in Section 4.29 page 25 (bottom chart).
-

NOTE: If a stretcher case is being carried on the same flight, WCHC maximum is reduced by one.

.25 WCHS-Wheelchair-S for Steps:

Self-reliant wheelchair:

- Passenger cannot ascent/descent steps but is able to make own way to/from cabin seat; requires wheelchair for distance to/from aircraft or mobile lounge and must be carried up/down steps.
- This category of wheelchair passenger is self-reliant; is able to walk within the aircraft.

.26 WCHR-Wheelchair-R for Ramp:

Self-reliant wheelchair:

- Passenger can ascend/descend steps and make own way to/from cabin seat but requires wheelchair for distance to/from aircraft, i.e., across ramp or to departure lounge as applicable.
- This category of wheelchair is self-reliant; is able to walk within the aircraft.

Traitement des passagers spéciaux

4 Traitement spécial - Passagers handicapés* (suite)

.24 Passager en fauteuil roulant WCHC - C pour cabine:

- Il s'agit de passagers qui diffèrent des précédents (passagers WCHP ci-dessus) en ce qu'ils sont affligés d'une incapacité physique ou mentale supplémentaire et sont incapables de s'occuper d'eux-mêmes durant le vol. Ils ne sont pas autonomes et doivent être accompagnés. Le nombre maximal de WCHC par vol est indiqué à l'article 4.29, page 25 (tableau du bas).
-

REMARQUE: Lorsqu'un passager en civière est inscrit pour un vol donné le nombre maximal de passagers de WCHC est réduit de un.

.25 Passager en fauteuil roulant WCHS - S pour steps (escaliers):

Passager en fauteuil roulant autonome:

- Le passager ne peut ni monter ni descendre les escaliers, mais peut se déplacer seul dans l'avion; il a besoin d'un fauteuil roulant pour les longs parcours entre l'aérogare et l'avion ou le salon mobile, et il doit être porté dans les escaliers.
- Il s'agit de passagers autonomes; ils peuvent se déplacer seuls dans l'avion.

.26 Passager en fauteuil roulant WCHR - R pour ramp (aire de trafic):

Passager en fauteuil roulant autonome:

- Le passager peut monter et descendre les escaliers et se déplacer seul dans l'avion, mais il a besoin d'un fauteuil roulant pour les longs parcours entre l'aérogare à l'avion, c'est-à-dire soit pour traverser l'aire de trafic, soit pour se rendre à la salle d'embarquement, selon le cas.
- Il s'agit de passagers autonomes; ils peuvent se déplacer seuls dans l'avion.

Special Passenger Processing

Traitement des passagers spéciaux

4 Special Processing - Disadvantaged Passengers* (cont.).27 Providing Continuous Oxygen Supply to Passengers in Need:

- 1 Air Canada will accept passengers requiring continuous oxygen supply in flight for carriage on all aircraft subject to medical approval as a service to such passengers. Portable oxygen units are available at a rental fee of \$40 per unit from P&S at both Dorval and Toronto.

Although oxygen units will be shipped as AOG priority, the following lead times are necessary to ensure routine delivery.

- Canadian Stations - 24 hours
- United States Stations - 48 hours
- Overseas & Southern Stations - 72 hours

EXCEPTION: In an emergency situation such as a logging or mining accident, when a patient must be rushed to a major hospital oxygen equipment supply by a clinic or hospital may be used.

- Reservations: - Book 2 seats if Attendant not required
- Book 3 seats if Attendant required

Example: 2 SMITH/MR.R.M. OXYGEN CASE
1 JONES/MR. ATTENDANT

Include SSR item in PNR as follows:

SSR MEDA AC HK OXYGEN TRVLNG WITH ATTDNT

- 2 There will be no charge for the extra seat.
- 3 Secure medical approval and determine from Dr. the oxygen flow required in litres per minutes.

4 Traitement spécial - Passagers handicapés* (suite).27 Fourniture d'oxygène aux passagers en ayant constamment besoin:

- 1 Air Canada accepte de transporter les passagers ayant constamment besoin d'oxygène pendant un vol, sous réserve d'autorisation médicale. À titre de service à ces passagers on peut, à raison de \$40 chacun, louer des appareils à oxygène portatifs aux Achats et Fourniture à Dorval et à Toronto.

Les appareils sont expédiés avec la priorité AOG. Il faut toutefois respecter les délais de livraison suivants:

- Escales canadiennes - 24 heures
- Escales des États-Unis - 48 heures
- Escales outre-mer et méridionales - 72 heures

EXCEPTION: Dans les cas extrêmes, par exemple accident en secteur forestier ou minier, lorsque le patient doit être transféré d'urgence à un centre hospitalier important, l'appareil à oxygène d'une clinique ou d'un hôpital peut être utilisé.

- Réservation - Réserver 2 places s'il ne faut pas d'accompagnateur
- Réserver 3 places si le passager doit être accompagné

Exemple: 2 SMITH/MR.R.M. OXYGEN CASE
1 JONES/MR. ATTENDANT

Introduire la transaction SSR dans le PNR comme suit:

SSR MEDA AC HK OXYGEN TRVLNG WITH ATTDNT

- 2 Le passager n'a rien à déboursier pour la place supplémentaire.
- 3 Obtenir l'autorisation médicale et déterminer avec le médecin le débit d'oxygène nécessaire en litres par minute.

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Special Passenger Processing

4 Special Processing - Disadvantaged Passengers* (cont.).27 Providing Continuous Oxygen Supply to Passengers in Need: (cont.)

- 4 To order oxygen units: Send a separate teletype message to each originating and stopover city. Address to Airport Manager function KK with carbon copy to (OO HH ON TR) functions and YULCKAC.

EXAMPLE:

YULKKAC YULOOAC YULHHAC YULONAC YULTRAC
YULOHAC YULRRAC YULCKAC
ATTN: YULKK CPY YULOO YULHH YULON YULTR
YULOH YULCK
RESERVE OXYGEN FOR PSGR SMITH/MR.M.FLT 105Y
25 JUN YUL YVR LPM 4 FLYING TIME 5 HRS
APRVD BY DR.ANDERSON

NOTE 1: If passenger's itinerary involves a stopover or a return flight then the Airport Manager at those stations (stopover or destination) must ensure that oxygen will be ordered.

NOTE 2: Reservations offices must advise the KK,TR,OO,HH functions of any change to passenger's itinerary as they occur.

E.G. CNXN FLT
YYTKKAC YYTOOAC YYTHHAC YYTONAC YYTTRAC
YYTOHAC YYTTRAC YULCKAC
ATTN: YYTKK CPY YYTOO YYTHH YYTON YYTTR
YYTOH YULCK
RESERVE OXYGEN FOR PSGR JONES/MR.P.FLT 605Y
26 JUN YYT/YYZ LPM 4 FLYING TIME 2:30 HRS
CNXN FLT793Y 26JUN YYZ/LAX LPM 4 TIME 5H

NOTE 1: Advice of oxygen requirement is routed to originating station only who will handle requirement for both boarding and connection points.

NOTE 2: Airport Manager at originating station must advise stopover connecting stations that oxygen has been ordered for entire flight.

Traitement des passagers spéciaux

4 Traitement spécial - Passagers handicapés* (suite).27 Fourniture d'oxygène aux passagers en ayant constamment besoin: (suite)

- 4 Commande d'appareils à oxygène: Envoyer un message téléimprimé distinct aux escales d'origine et intermédiaires. L'adresser au Chef d'escale, fonction KK avec copie aux fonctions (OO HH ON et TR) et à YULCKAC.

EXAMPLE:

YULKKAC YULOOAC YULHHAC YULONAC YULTRAC
YULOHAC YULRRAC YULCKAC
ATTN: YULKK CPY YULOO YULHH YULON YULTR
YULOH YULCK
RESERVE OXYGEN FOR PSGR SMITH/MR.M.FLT 105Y
25 JUN YUL YVR LPM 4 FLYING TIME 5 HRS
APRVD BY DR.ANDERSON

REMARQUE 1: Quand l'itinéraire du passager comporte un arrêt ou un vol de retour, le chef d'escale des escales en cause doit s'assurer que l'oxygène sera commandé.

REMARQUE 2: En cas de modification de l'itinéraire d'un passager, les bureaux de réservations doivent en informer à mesure les fonctions KK,TR,OO,HH.

Ex. Vols de correspondance
YYTKKAC YYTOOAC YYTHHAC YYTONAC YYTTRAC
YYTOHAC YYTTRAC YULCKAC
ATTN: YYTKK CPY YYTOO YYTHH YYTON YYTTR
YYTOH YULCK
RESERVE OXYGEN FOR PSGR JONES/MR.P.FLT 605Y
26 JUN YYT/YYZ LPM 4 FLYING TIME 2:30 HRS
CNXN FLT793Y 26JUN YYZ/LAX LPM 4 TIME 5H

REMARQUE 1: L'escale d'origine traite la demande d'oxygène pour elle-même et les escales de correspondance.

REMARQUE 2: Le Chef d'escale à l'origine doit aviser les escales de correspondance que l'oxygène a été réservé pour tout le vol.

Special Passenger Processing

4 Special Processing - Disadvantaged Passengers (cont.).27 Providing Continuous Oxygen Supply to Passengers in Need: (cont.)

- 5 Stations: The airport Manager must order units by teletype from Purchasing & Supply - Furniture, Dorval (YULJXAC or Toronto (YYZJXAC)).

Include the following in teletype:

- No. of units required
- Description of unit
- Address of consignee
- Requisition number
- Flight no. and date the passenger is travelling
- Part number
- Consignee
- Consignee Budget Centre code
- - Budget expense code (BEC) 398
- Name of passenger requiring oxygen unit
- Purchasing supply of shipping details

6 Description of Oxygen Units:

Preferred unit: "MEDIPAK".

Part Number: 35-30-124 - Medical Oxygen Pack.

Content:

- 1 Reusable shipping container.
- 1 On board storage rack.
- 2 Aero-Med portable oxygen units.
- 2 Humidifier bottles.
- 2 Humidifier hoses.
- 1 Adult mask.
- 1 Child's mask
- 1 Cannula.

Alternate Unit: Standard oxygen bottle.

Part Number: 35-30-117 - Oxygen cylinder.

NOTE: DO NOT USE UNAUTHORIZED EQUIPMENT AND DO NOT ACCEPT PASSENGER'S OWN EQUIPMENT.

Traitement des passagers spéciaux

4 Traitement spécial - Passagers handicapés* (suite).27 Fourniture d'oxygène aux passagers en ayant constamment besoin: (suite)

- 5 Escales: Le Chef d'escale doit commander les appareils par téléimprimeur aux Achats et Fourniture, à Dorval (YULJXAC) ou à Toronto (YYZJXAC).

Indiquer les renseignements suivants:

- Nombre d'appareils
- Description de l'appareil
- Adresse du destinataire
- Numéro de la demande
- Numéro du vol et date du voyage
- Numéro d'article
- Destinataire
- Centre de coût du destinataire
- - Code dépense (BEC) 398
- Nom du passager auquel l'appareil est destiné
- Demande de confirmation des modalités d'expédition par les Achats et Fourniture

6 Description de l'appareil à oxygène:

Appareil recommandé: "MEDIPAK"

Numéro d'article: 35-30-124 - Trousse d'oxygène thérapeutique.

Contenu:

- 1 emballage d'expédition réutilisable
- 1 rangement pour l'avion
- 2 appareils à oxygène portatifs Aero-Med
- 2 bouteilles d'humidification
- 2 tuyaux d'humidification
- 1 masque d'adulte
- 1 masque d'enfant
- 1 canule

Substitut: Bouteille d'oxygène standard

Numéro d'article: 35-30-117 - Bouteille d'oxygène

REMARQUE: NE PAS EMPLOYER D'AUTRE APPAREIL SANS AUTORISATION; NE PAS ACCEPTER L'APPAREIL DU PASSAGER.

Special Passenger Processing

4 Special Processing - Disadvantaged Passengers* (cont.)

.27 Providing Continuous Oxygen Supply to Passengers in Need: (cont.)

7 Number of Units required:

PART NUMBER 35-30-124 (preferred unit)

Flow rate - 2 LPM

Flight duration:

0 - 8 hours	1 pack
8 - 16 hours	2 packs

Flow rate - 4 LPM

Flight duration:

0 - 4 hours	1 pack
4 - 8 hours	2 packs
8 - 12 hours	3 packs

PART NUMBER 35-30-117 (alternate unit)

Flow rate - 2 LPM

Flight duration:

0 - 2:00 hours	1 cylinder
2 - 4:30 hours	2 cylinder
4:30 - 7:00 hours	3 cylinder
7:00 - 9:00 hours	4 cylinder
9:00 - 11:00 hours	5 cylinders (maximum)

Flow rate - 4 LPM

Flight duration:

0 - 1:00 hour	1 cylinder
1:00 - 2:30 hours	2 cylinder
2:30 - 3:30 hours	3 cylinder
3:30 - 5:00 hours	4 cylinder
5:00 - 6:00 hours	5 cylinders (maximum)

Traitement des passagers spéciaux

4 Traitement spécial - Passagers handicapés* (suite)

.27 Fourniture d'oxygène aux passagers en ayant constamment besoin: (suite)

7 Nombre d'appareils:

NUMERO D'ARTICLE 35-50-124 (appareil recommandé)

Débit d'oxygène - 2 L/min

Durée du vol:

moins de 8 heures	1 trousse
de 8 à 16 heures	2 trousses

Débit d'oxygène - 4 L/min

Durée du vol:

moins de 4 heures	1 trousse
de 4 à 8 heures	2 trousses
de 8 à 12 heures	3 trousses

NUMERO D'ARTICLE 35-30-117 (substitut)

Débit d'oxygène - 2 L/min

Durée du vol:

moins de 2 heures	1 bouteille
de 2 h à 4 h 30 min	2 bouteilles
de 4 h 30 min à 7 heures	3 bouteilles
de 7 h à 9 heures	4 bouteilles
de 9 h à 11 heures	5 bouteilles- (maximum)

Débit d'oxygène - 4 L/min

Durée du vol:

moins d'une heure	1 bouteille
de 1 h à 2 h 30 min	2 bouteilles
de 2 h 30 à 3 h 30 min	3 bouteilles
de 3 h 30 min à 5 h	4 bouteilles
de 5 h à 6 h	5 bouteilles- (maximum)

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Special Passenger Processing

4 Special Processing - Disadvantaged
Passengers* (cont.).27 Providing Continuous Oxygen Supply to
Passengers in Need:

- 8 Seating of Passengers Requiring Continuous Oxygen in Flight - Using preferred unit (part number 35-30-124) or using alternate (part number 35-30-117).

Refer to chapter 7, section 1.26 for seating information using preferred unit, and section 1.27 for seating information using alternate unit.

Traitement des passagers spéciaux

4 Traitement spécial - Passagers handicapés*
(suite).27 Fourniture d'oxygène aux passagers en ayant
constamment besoin: (suite)

- 8 Placement d'un passager devant constamment inhaler de l'oxygène, qui utilise l'appareil recommandé (numéro d'article 35-30-124) ou l'autre appareil (numéro d'article 35-30-117):

Voir au chapitre 7, article 1.26 les consignes de placement d'un passager qui utilise l'appareil recommandé et à l'article 1.27, les consignes pour le passager qui utilise l'autre appareil.

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Special Passenger Processing

4 Special Processing - Disadvantaged Passengers* (cont.)

.28 Kidney Patients (Hemodialysis): Kidney Patients (Hemodialysis) - passengers travelling with portable dialysis equipment and supplies: Self Reliant.

- A patient on hemodialysis normally requires treatment 3 times a week and as a precautionary measure will usually arrange for any travel to take place the day following a treatment thereby allowing for a period of 2 or 3 days before a further treatment becomes necessary.
- Because of the amount of equipment and supplies required for treatment this passenger will have several pieces of baggage. There is no limit as to the number of pieces of baggage which this passenger can check, and all must travel with the passenger. Normal excess baggage charges will apply.

NOTE 1: Part of the supplies for treatment are a saline concentrate and a saline solution. There are no restrictions on these items but passengers should be advised to ensure these are properly packaged with an absorbent material. To sterilize the dialysis unit after treatment, either chlorine (Javex) or formaldehyde is required. Chlorine (Javex) is acceptable provided it is properly packaged with an absorbent material. Formaldehyde is a restricted article and MAY NOT be carried.

- Ensure ALL items to be checked are name labelled and properly tagged. Loss of any one piece can render the unit useless and put the passenger in a dangerous situation.

NOTE 2: If the passenger requests to monitor loading, do all possible to assist and advise by teletype the stations involved so that arrangements can be made.

- In the event that we are requested to carry dialysis equipment and supplies as cabin baggage, normal seat loaded baggage rules will apply.

Traitement des passagers spéciaux

4 Traitement spécial - Passagers handicapés* (suite)

.28 Passagers munis d'un hémodialyseur:

- Ces passagers sont considérés comme autonomes. Les insuffisances rénales sont normalement traitées par dialyse trois fois par semaine et, par mesure de précaution, les malades s'organisent pour voyager le lendemain d'un traitement, laissant ainsi un battement de deux ou trois jours entre deux dialyses.
- En raison de la quantité de matériel nécessaire au traitement, ces passagers transportent toujours plusieurs bagages. Il n'y a aucune limite quant au nombre de bagage enregistrés, qui doivent toujours être embarqués à bord du même vol que leur propriétaire. Les frais pour excédent de bagages s'appliquent.

REMARQUE 1: Les fournitures nécessaires au traitement comprennent notamment un concentré salin et une solution saline. Leur transport n'est soumis à aucune restriction, mais il faut s'assurer auprès du passager qu'il les a bien placés dans un emballage absorbant. Après le traitement, l'hémodialyseur doit être stérilisé, avec du chlore (Javex) ou du formol. Le chlore (Javex) est accepté pourvu qu'il soit dans un emballage absorbant. Le formol fait partie des marchandises dangereuses et EST INTERDIT AU TRANSPORT.

- S'assurer que TOUS les articles enregistrés portent le nom du propriétaire et sont bien étiquetés. La perte de l'un d'eux peut rendre le matériel inutilisable et mettre la vie du passager en danger.

REMARQUE 2: Quand le passager demande de surveiller le chargement de l'hémodialyseur, mettre tout en oeuvre pour satisfaire à sa demande et informer par téléimprimeur les escales touchées afin que les dispositions nécessaires soient prises.

- Pour le transport de matériel à hémodialyse en cabine, les règles sur les bagages occupant un siège s'appliquent.

4 Special Processing - Disadvantaged Passengers* (cont.)

4 Traitement spécial - Passagers handicapés* (suite)

.29 Disadvantaged Passengers' Status - In Chart Form:

.29 Passagers handicapés - Résumé:

PASSENGERS CATEGORY CATÉGORIE	SELF RELIANT AUTONOME		NON SELF RELIANT NON AUTONOME		NOTES REMARQUES
	ATTENDANT REQUIRED BESOIN D'ASSISTANCE	MAX. NBR PER FLIGHT MAX. PAR VOL	ATTENDANT REQD BESOIN D'ASSIS.	MAX. NBR/FLIGHT MAX. PAR VOL	
BLIND AND DEAF AVEUGLE ET SOURD	YES OUI	N/A SANS EFFET			
BLIND AVEUGLE	NO NON	N/A SANS EFFET			
CEREBRAL PALSY VICTIM ENCÉPHALOPATHIE	NO NON	N/A SANS EFFET			NOTE 3 REM. 3
CHILD UNACCOMPANIED ENFANT NON ACCOMPAGNE	NO NON	N/A SANS EFFET			
DEAF SOURD	NO NON	N/A SANS EFFET			
INCUBATOR BABY COUVEUSE (BÉBÉ)			YES OUI	N/A SANS EFFET	
MENTALLY ILL MALADE MENTAL			YES OUI	N/A SANS EFFET	
MENTALLY RETARDED DÉFICIENT MENTAL	NO NON	N/A SANS EFFET	YES OUI	N/A SANS EFFET	NOTE 4 REM. 4
STRETCHER PASSENGER CIVIÈRE			YES OUI	1 1	
WHEELCHAIR - WCHR (WALK ON/OFF) FAUT. ROUL. - WCHR (PARTIEL. IMPOTENTS)	NO NON	N/A SANS EFFET			
WHEELCHAIR - WCHS (CARRY ON/OFF) FAUT. ROUL. - WCHS (TOTAL. IMPOTENTS)	NO NON	N/A SANS EFFET			

WHEELCHAIR WCHP AND WCHC (NOTE 1) FAUT. ROUL. WCHP ET WCHC (REM. 1)	RANDOM SEATING * PLACEMENT LIHRE *		PLANNED SEATING * PLACEMENT PLANIFIÉ *		TOTAL RANDOM + PLANNED (NOTE 2) PLACEMENT TOTAL LIHRE ET PLANIFIÉ (REM. 2)	MAX. NR OF WCHC (NOTE 1) MAXIMUM DE WCHC (REM. 1)
	UNATTENDED / NON ACCOMPAGNÉS	ADDITIONAL IF ATTENDED / NOMBRE ADDI- TIONNEL SI ACCOMPAGNÉS	UNATTENDED / NON ACCOMPAGNÉS	ADDITIONAL IF ATTENDED / NOMBRE ADDI- TIONNEL SI ACCOMPAGNÉS		
B-747	9	9	9	9	36	5
B-747 COMBI	7	7	7	7	28	4
L-1011	6	6	6	6	24	4
L-1011-500	4	4	4	4	16	3
B-767	4	3	3	3	13	2
B-727	3	2	2	4	11	2
DC-9	2	1	2	2	7	2
DC-8	4 (NOTE 5) (REM. 5)	4	4	4	16	4

* See Chapter 7, Section 1.17

* Voir chapitre 7, article 1.17

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Special Passenger Processing

4 Special Processing - Disadvantaged Passengers* (cont.)

.29 Disadvantaged Passengers' Status - In Chart Form: (cont.)

NOTE 1: WCHC passenger must be attended. WCHC passengers must be included, computing total allowable in combined Planned and Random Seating. If a stretcher case is being carried on the same flight, WCHC maximum is reduced by one.

NOTE 2: The number of disabled passengers and the number of attendants required may be altered by an air carrier in the case of handicapped athletes attending their sporting events. The limit may only be exceeded if approval to do so has been received from Flight Operations (YULZOAC).

NOTE 3: A CEREBRAL PALSY victim's mental faculties are normal, but he suffers muscular incoordination and speech disturbances. There are degrees of muscular incoordination, to the extent that some victims will be self reliant, and some will not (those who are not must engage an attendant to travel with them). A Cerebral Palsy victim's speech is marred and very slow BUT HE CAN BE UNDERSTOOD THROUGH PATIENCE AND CONCENTRATION.

NOTE 4: There are degrees of mental retardation; some mentally retarded persons can travel unaccompanied, while others cannot. It must be left to the guardian to decide whether or not the passenger is self-reliant; but it should be made clear to the guardian that the passenger would have to be able to cope with involuntary rerouting, such as in the event of adverse weather closing the intended destination airport.

NOTE 5: No more than 2 each per cabin on DC-8's.

.30 Refrigerated Medication: Some passengers must travel with medication that requires refrigeration. On request, cabin crew will refrigerate passengers' medication.

Traitement des passagers spéciaux

4 Traitement spécial - Passagers handicapés* (suite)

.29 Passagers handicapés - Résumé: (suite)

REMARQUE 1: Les passagers WCHC doivent être accompagnés. Ils doivent être inclus dans le calcul du nombre total admissible, placements libre et planifié combinés. Lorsqu'un passager en civière est inscrit pour un vol donné, le nombre maximal de passagers WCHC est réduit de un.

REMARQUE 2: Le nombre maximal de passagers handicapés et d'accompagnateurs peut être modifié par un transporteur aérien, notamment dans le cas d'athlètes handicapés se rendant à une manifestation dans leur discipline sportive. Tout dépassement de la limite exige l'autorisation préalable des Opérations aériennes (YULZOAC).

REMARQUE 3: Les facultés d'une victime d'encéphalopathie sont normales, mais la personne souffre d'incoordination motrice et d'un défaut d'élocution. L'incoordination peut être plus ou moins prononcée, certaines victimes étant autonomes. Les autres doivent engager quelqu'un pour voyager. Malgré une élocution difficile et un débit très lent, ces passagers peuvent être compris AVEC DE LA PATIENCE ET DE LA CONCENTRATION.

REMARQUE 4: La déficience mentale peut être plus ou moins prononcée; certains déficients peuvent voyager seuls et d'autres doivent être accompagnés. C'est au tuteur de déterminer si le passager est autonome, en tenant compte du fait que celui-ci peut devoir faire face à un réacheminement accidentel si, par exemple, les conditions météorologiques entraînent la fermeture de l'aéroport de destination.

REMARQUE 5: Maximum de 2 chacun par cabine, dans le DC-8.

.30 Médicaments réfrigérés: Certains passagers doivent prendre des médicaments réfrigérés. Sur demande, l'équipage commercial met ces médicaments au froid.

Special Passenger Processing*

Traitement des passagers spéciaux*

4 Special Processing - Disadvantaged Passengers* (cont.)

- .31 Non-Routine Disabled Passengers: It is Air Canada's policy to make air transportation available to the largest number of the disabled/handicapped as possible. Denial of carriage for the non-routine disabled/handicapped will be on the basis of medical condition, safety reasons and in some cases because of an inability to provide at a given time, solutions to requirements of a technical nature; i.e., unable on short or long notice to supply the correct power to support equipment that must be carried with the disabled passenger.

NOTE: A non-routine disabled passenger is a person who is ambulatory/non-ambulatory and requires special support equipment and/or handling during flight - example - life support systems or special restraints.

The following are required for the non-routine disabled prior to confirming acceptance for travel.

- 1 Medical approval and re-approval if interval between original approval and travel date exceeds 30 days or the health condition has changed since original approval obtained.
- 2 Completion of the questionnaire (see Item 11 below). Completed questionnaire is to be forwarded by mail or teletype (YULCKAC) to Airport Passenger Service Manager, PAC 216, to verify support equipment is approved for carriage. Requests of this nature will be processed with Engineering.

NOTE: A photocopy of the questionnaire should be made for the passenger by the Passenger Agent or the Passenger should contact Airport Passenger Service Manager and a copy will be forwarded.

- 3 A medically approved attendant will be required. In the case of ventilators, the attendant must have the ability to operate the ventilator manually in the event of equipment failure.

4 Traitement spécial - Passagers handicapés* (suite)

- .31 Passagers handicapés exceptionnels: Air Canada a pour politique de mettre le transport aérien à la disposition du plus grand nombre possible de personnes handicapées. Dans le cas des handicapés exceptionnels, le transport peut être refusé pour des raisons de santé, de sécurité et, à l'occasion, d'impossibilité de fournir à un moment donné l'assistance technique nécessaire: ex. incapacité de fournir le courant nécessaire au fonctionnement du matériel de soutien d'un passager handicapé.

REMARQUE: Un handicapé exceptionnel est une personne autonome ou non autonome ayant besoin de matériel de soutien spécial ou de soins particuliers pendant le vol: ex. respirateur artificiel ou sangles spéciales.

Conditions d'admissibilité au transport des handicapés exceptionnels:

- 1 Le passager doit obtenir une autorisation médicale et un renouvellement d'autorisation si le voyage a lieu plus de 30 jours après l'autorisation initiale ou que l'état de santé du passager a changé.
- 2 Il doit remplir le questionnaire (voir paragraphe 11 ci-dessus) et l'envoyer par courrier ou par téléimprimeur (YULCKAC) au Chef du service Passagers - Aéroport, PAC 216, qui vérifie l'acceptabilité au transport du matériel de soutien. Les demandes de ce genre sont traitées avec le concours de l'Ingénierie.

REMARQUE: L'agent Passagers doit remettre une photocopie du questionnaire au passager ou ce dernier doit en faire la demande au Chef du service Passagers - Aéroport.

- 3 Le passager doit être accompagné d'une personne autorisée par un médecin. Dans le cas d'un passager utilisant un ventilateur, l'accompagnateur doit être en mesure de faire fonctionner l'appareil manuellement s'il fait défaut.

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Special Passenger Processing*

4 Special Processing - Disadvantaged
Passengers* (cont.)

.31 Non-Routine Disabled Passengers: (cont.)

- 4 An additional seat may be required for the positioning of support equipment on an adjacent seat if not able to locate under the seat in front of the passenger.
- 5 Disabled passengers will be responsible for providing specified battery and spare when required. If aircraft power source is required, Air Canada will specify. Any equipment carried must be approved for carriage and will not affect aircraft systems.
- 6 Restraint harness for chest and legs as required will normally be provided by the passenger. The restraint harness is for the passenger's comfort and must be of a quick release type; i.e., seat belt release or Velcro fastening. Air Canada will maintain a limited supply for unusual situations.
- 7 Passengers will be seated in the non-smoking section in seats specified by Air Canada. (Refer Chapter 7, Section 1.12)
- 8 Support equipment will be secured to a container available from Dorval Stores. (See Note 2). The container and support equipment will be placed under the seat ahead and secured to the seat track (see illustration below) or placed on an adjacent seat and secured by a special seat belt arrangement.
- 9 Decompression: Passenger will be required to have an attachment on the air supply hose within reach of the emergency oxygen supply (most air supply hoses are provided with a Y adaptor for oxygen enrichment).
- 10 Additional medical oxygen may be required and is available to provide continuous oxygen supply to passengers in need. (Refer Chapter 10, Section 4.27)

Traitement des passagers spéciaux*

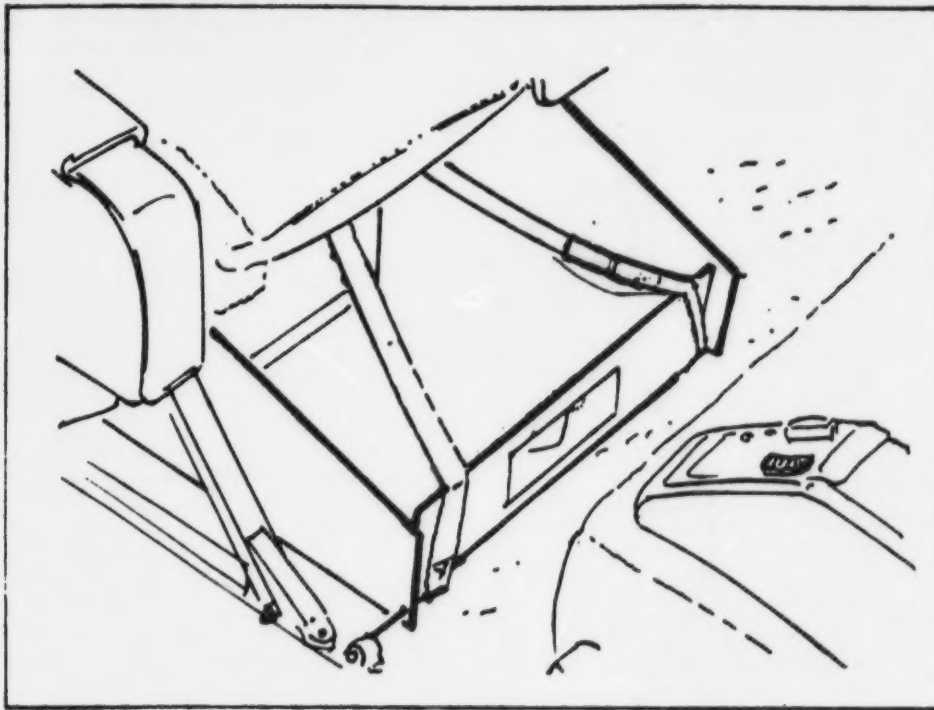
4 Traitement spécial - Passagers handicapés*
(suite)

.31 Passagers handicapés exceptionnels: (suite)

- 4 Dans l'impossibilité de placer l'appareil sous le siège devant le passager, un siège adjacent à celui du passager doit être retenu.
- 5 Le cas échéant, le passager doit fournir la pile et la pile de rechange. Lorsqu'il faut utiliser le courant de l'avion, Air Canada fournit les précisions nécessaires. Le matériel doit être approuvé pour le transport et ne pas nuire aux circuits avion.
- 6 Les sangles pour le torse et les jambes sont fournies par le passager, pour son confort. Elles doivent se détacher rapidement et, pour cela, être munies d'une boucle ou d'une bande Velcro. Air Canada en a un nombre limité pour les situations exceptionnelles.
- 7 Ces passagers sont placés dans la section non-fumeurs, aux places désignées par Air Canada (voir chapitre 7, article 1.12).
- 8 Le matériel de soutien est placé dans une boîte spéciale que l'on peut se procurer aux Magasins de Dorval. (Voir remarque 2). Cette boîte est placée sous le siège devant le passager et fixée au rail du siège, ou sur un siège adjacent à celui du passager et immobilisée par des ceintures de sécurité spéciales.
- 9 En prévision d'une décompression, le tuyau d'alimentation en air doit être raccordé au circuit d'oxygène fixe (la plupart de ces tuyaux sont munis d'un raccord en Y pour l'apport d'oxygène d'appoint).
- 10 En cas de besoin, il est possible d'assurer l'alimentation continue en oxygène. (Voir chapitre 10, article 4.27.)

Special Passenger Processing*

Traitement des passagers spéciaux*

4 Special Processing - Disadvantaged Passengers* (cont.)4 Traitement spécial - Passagers handicapés* (suite).31 Non-Routine Disabled Passengers: (cont.).31 Passagers handicapés exceptionnels: (suite)

VENTILATOR CARRIER

NOTE 1: The aircraft oxygen supply is for emergency use only, and is not to be used except for emergencies.

REMARQUE 1: La provision d'oxygène à bord ne doit être utilisée qu'en cas d'urgence.

NOTE 2: Stations must order support equipment by teletype directly from Purchasing & Supply at Dorval (YULJXAC). A ventilator kit, which consists of a ventilator carrier (container), air hose, chest and leg harnesses, is -- available under part nr. 25-51046-1.

REMARQUE 2: Les escales doivent adresser les demandes de matériel de soutien, par téléimprimeur aux Achats et Fourniture, à Dorval (YULJXAC). On peut commander des trousse de ventilation, répertoriées sous le -- n° 25-51046-1. Elles comprennent la trousse, un tuyau d'alimentation, des sangles pour le torse et les jambes.

11 Reservations offices must advise KK, TR, OO functions at all stations involved in the passenger's itinerary including connecting and destination airports when applicable. The destination station should be advised of passenger's return flight.

11 Les bureaux de réservations doivent aviser les fonctions KK, TR, OO aux escales de l'itinéraire du passager, y compris les escales de correspondance et de destination, le cas échéant. Le vol de retour doit être indiqué à l'escale de destination.

82 11 03

4 Special Processing - Disadvantaged Passengers* (cont.)

4 Traitement spécial - Passagers handicapés* (suite)

.31 Non-Routine Disabled Passengers: (cont.)

.31 Passagers handicapés exceptionnels: (suite)

- 12 The Manager at each of the stations involved is to make arrangements with Maintenance for the installation of the ventilator carrier.
It will also be necessary to have Maintenance install the air hose (without mask) to the aircraft oxygen supply in case of an emergency decompression. See illustration below.

- 12 Le chef d'escale intéressé doit demander à la Maintenance de mettre en place la trousse de ventilation et de raccorder le tuyau d'alimentation (sans masque) au circuit d'oxygène fixe de l'appareil au cas où il y aurait décompression. Voir l'illustration.



- 13 When the passenger holds a return flight, the destination station is to arrange to have the ventilator carrier removed and kept at their disposal for the return trip.

- 13 Quand le passager a une réservation pour un vol de retour, l'escale de destination doit veiller à ce que la trousse de ventilation soit retirée de l'avion et gardée à sa disposition pour ce vol.

- 14 Once the ventilator carrier is no longer needed, it must be immediately returned to Dorval Stores as AOG Comat.

- 14 Si elle n'est plus utile, elle doit être retournée immédiatement aux Magasins de Dorval comme matériel compagnie (COMAT) AOG.

A. John McLeod Corp. Ltd. MAY 6 1 23 PM '84

April 30, 1984

Mr. Claude I. Taylor
President & Chief Executive Officer
Air Canada
530 - 8 Avenue S. W.
CALGARY, Alberta
T2P 1E9

Dear Mr. Taylor:

Approximately six weeks ago I flew to Victoria and had a very degrading experience showing up at the Calgary terminal in an electric chair.

I have no idea why Air Canada insists on making a person feel like something less than a bag of garbage but, believe me, they do and I can assure you I have travelled on most airlines in the North American Continent and they are the only ones that persist and continue to make one feel that way. It's interesting that this experience only repeats itself continuously at the Calgary airport.

On April 19 (photocopy enclosed) when going to Gate 15 for Flight 212 I was very confident that this problem had now been eliminated. It's interesting to note that I had vowed that I would never fly Air Canada again but, in keeping with most Canadians, when my daughter asked me which airline we should make reservations with, I just automatically told her Air Canada.

When I got to the boarding gate, the person there informed me that I would have to go back through security and transfer into an Air Canada chair and return. I then produced the page of regulations pertaining to "Special Passenger Handling", copy enclosed, to the

...2/

100 - 279 MIDPARK WAY S.E. CALGARY, ALBERTA T2X 1M2

ajp

Mr. Claude I. Taylor
April 30, 1984
Page Two

person and she said "just a minute" and went back and informed whoever she was talking to that this wise guy had copies of their rule book. Still not being able to claim total fame because the girl came back and told me that because the plane was ten minutes late I would not be able to enjoy what's referred to as "Flaneside Service" as I would hold up the plane - I did not have the heart to tell her that I was very aware that the last thing in that hole was to be my chair and the first thing out when I arrived at Regina. As soon as the packers came (and you can tell that the reason for their concern was that they did not want to get wet in the rain), I excused myself and went to the washroom. I came back in about the right time for loading and drove my chair down to the door anyway. Now, I'm finally on the plane.

When we arrived at Regina, I went down to the bottom of the ramp to find that my battery and battery box and the wiring in same was scattered all over hell. When I queried the man putting it together as to why this was done he told me that it was regulations for flying airplanes. I produced my copy of regulations pertaining to wide body aircraft L 1011 (copy enclosed) and assured him that there was nothing in there that said you were to take the battery out of the box, break the box (which is worth \$48.05) and then give it back to me hoping that I might be able to put it back together again and get that chair out of the airport and away from Air Canada.

Needless to say, at this point there was no way that I was going to take a return flight with Air Canada back to Calgary following these two wonderful experiences. Having been on Pacific Western a number of times before, I went over and had my tickets changed from Air Canada flight 215 departing April 23 to Pacific Western's flight on April 23, departing slightly easier but knowing, from past experience, that I will not have to go through the hassle that your company has put me through.

The only thing in the whole trip that made it worthwhile was having an opportunity to meet once again Franco Cellura, the Flight Service

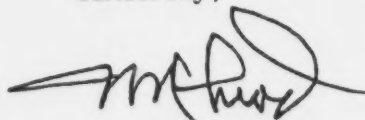
Ex 101

Mr. Claude I. Taylor
April 30, 1984
Page Three

Director who, in my estimation, is the best one Air Canada has and the best one I've ever seen in the airline industry. It really amazes me that a man of that quality will remain with your company. He is really first class. I've flown to Hawaii, charter from Vancouver, with this man as the Flight Service Director and he can make a four hour flight seem like forty-five minutes. He is just an astounding human being performing this particular function. He is definitely number one.

I really do not expect Air Canada to change their ways because the good Lord knows I have attempted to do that. I do not expect to be reimbursed the \$48.05 for the battery box they broke between Calgary and Regina. I do not expect anything to improve but I did want to make sure that you understood one of the reasons why it will be a matter of desperation before I put my foot on an Air Canada flight again.

Sincerely,



A. John McLeod

AJM/lis

cc: Hon. Lloyd Axworthy
Minister of Transport
Human Rights Commission
Mr. D. Cellura
Pacific Western

CLARKSON, TETRAULT

AVOCATS

BARRISTERS AND SOLICITORS

OTTAWA

275 SLATER *705
OTTAWA, CANADA K1P 5H9
TELEPHONE (613) 238-2000
TELECOP (613) 238-2027
TELEX 053-3347

630 DORCHESTER ^{WEST}
MONTREAL, CANADA H3B 1V7

MONTREAL

TELEPHONE (514) 397-4100
(514) 875-6246
TELECOP (514) 397-4187
CABLE "FLEURAL"
TELEX 05-24142

DIRECT (514) 397- 4125

Montreal, March 13, 1984

Air Accessibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada
Ottawa, Ontario
K1A 0N5

Attention: Prof. Ed Ratushny

Re: Accessibility to Air Travel
for Wheelchairbound

Dear Professor Ratushny:

A copy of the announcement issued with regards to the study for which you were given responsibility was sent to me by Michael Ryan of the Canadian Paraplegic Association.

As a paraplegic for over 20 years I have travelled extensively by plane both for business and pleasure. I have travelled within Canada, to the United States and to Europe. Within Canada and to Europe I travelled mostly by Air Canada and in the United States by American Airlines. On most of my trips within Canada I travelled alone whereas in the United States I was accompanied by my son who was then between 5 and 12 years old, and to Europe I was also accompanied by my son who was then older (15/16).

While travelling unaccompanied I encountered most difficulties when I was not allowed to remain in my own wheelchair up to my plane seat. Therefore, I urge this government to take steps to ensure that an independent wheelchair bound passenger be allowed to use his/her wheelchair up to his/her seat on the plane by either

.../2

providing space on the plane where a fully collapsed wheelchair can be stored or by ensuring that his/her wheelchair is put into the belly of the plane right after he/she is seated and brought up from the belly of the plane for his/her leaving the plane. I have personally noted that such a procedure, although it may appear inconvenient, in fact assures safer and faster boarding and unboarding of wheelchair bound passengers.

Access to washrooms is another significant barrier to easy and dignified travel by paraplegics. Over the last five years most of the airports in Canada have become equipped with accessible washroom facilities close to departure and arrival areas. However, one stunning exception is the Toronto International Airport for a person arriving from Montreal by Air Canada. There the washroom equipped for paraplegics is one step up from the ordinary cubicles, sometimes making me wonder if this is not another trick imagined by sadistic Torontonians against anyone coming from Montreal.

During long flights (e.g. Montreal-San Francisco, Montreal-Paris) non access to washroom facilities can become significantly annoying. My suggestion would be for a washroom chair or very narrow chair to be kept on the plane for use by independant paraplegics. Once brought to a paraplegic he or she could transfer onto it and be pushed by either a steward or by another willing passenger. I must also mention the quality of service provided by American Airlines on flights between Montreal and San Francisco. The stewardess offered (and I accepted once) the use of a washroom chair for access to the washroom facilities during a 45-minute stopover in Chicago. This offer was not made on every flight between Montreal and San Francisco and it could have created havoc if there had been more than one paraplegic to use this service at the time but it was certainly appreciated.

Of course I do not even mention the fact that in some airports (e.g. Dorval) some planes have to be entered from a flight of stairs or still from the tarmac as is the case in Quebec City. In the latter case, the ground staff has developed some techniques to deal with the influx of wheelchairs coming to Ste-Anne de Beaupré.

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Air Accessibility Standards
March 13, 1984
Page 3

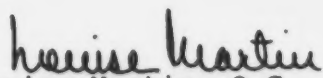
They use lifts to bring the wheelchairs to the plane. This procedure can be dangerous as was once the case with me when the driver of the lift started to back off from the aircraft before the big wheels of the chair were on it. However, even given the danger of such a procedure, I much prefer to take the risk than to be prevented from travelling alone by air.

I was surprised to find out on a trip to Paris last summer that Air Canada imposes an excess baggage fee on paraplegics for their wheelchairs. I believe this is unfair and that it should be stopped immediately.

One last remark. I was once in Vancouver on business as counsel for the CRTC holding a public hearing there. I flew on CP Air from Ottawa to Vancouver unaccompanied but with other members of the CRTC travelling on the same flight. Returning from Vancouver to Ottawa a little later than these members, I was definitely to travel without companions/assistance. I was warned that I might have problems on my return CP flight if unattended. Fortunately, I managed to contact a general manager or other person in authority at CP a few days before departure. I was then issued a medical certificate by CP's chief medical person stating that I was allowed to travel independently, i.e. unattended, and in fact I had no problems - CP's ground and on board staff providing me with luxury treatment.

This taught me that there should be an identification system established to ensure that independent paraplegics always be allowed to travel unattended.

Yours very truly,


Louise Martin, Q.C.

LM/lr
c.c. Mr. Michael Ryan
Managing Director
Canadian Paraplegic Association

CANADIAN PARAPLEGIC ASSOCIATION

National Office: 520 SUTHERLAND DRIVE, TORONTO, CANADA M4G 3V9 (416) 422-5640

on His Excellency the Right Honourable
 Ward Schreyer, C.C., C.M.M., C.D.,
 Governor General of Canada

January 11, 1984

The Honourable Lloyd Axworthy
 Minister of Transport Canada
 House of Commons
 Ottawa, Ontario
 K1A 0A6

Dear Mr. Axworthy:

The Canadian Paraplegic Association is very concerned about the continuing difficulties that physically disabled persons have in using air carriers in Canada. Recently we met with officials of Wardair to discuss with them the reported refusal of their airline to carry a Mr. John Doolittle on their August 30, 1983 charter from Toronto to Saskatoon.

As a result of our meetings, it became clear that there was a glaring disparity between the tariffs that govern flights of regularly scheduled airlines and the tariffs governing charter flights, including both those of Wardair, as well as those of CP Air, Air Canada and others. Specifically, we refer to Rule 33 and the handling of various categories of disabled persons.

We applaud the recent decision of the Canadian Transport Commission to seek public input into the decision about whether attendants of physically disabled persons should be charged for their passage, or receive free passage when accompanying a disabled traveller. Our Association submitted a Brief on this matter, a copy of which I enclose for your interest.

However, it is our conviction that the charter tariffs, specifically of Wardair, allow the airline excessive discretion in requiring attendants to accompany physically disabled persons. It is the position of our Association that the passenger's self-assessment of the need for an attendant should be the criterion for whether an attendant is required to accompany a disabled passenger on any flight.

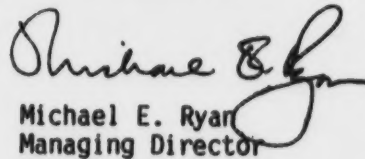
We understand the Canadian Transport Commission has asked carriers to submit revised charter tariffs by an early date in the current year to bring them more in line with Rule 33. We genuinely hope that this is the case, that you will use your role as Minister of Transport to bring charter tariffs more in line with regular tariffs, and if necessary, to even suggest a Royal Commission or Board of Inquiry into the transportation of physically disabled in Canada.

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The unpredictable requirement of medical certification or attendance continues to plague the disabled travelling public, including our own President upon occasion. The efforts of our Association over many years to alleviate these problems by discussions with airline officials, have been frustrated by the repeated recurrences at various airports and situations arising from various airlines.

We hope that your efforts, and those of the Canadian Transport Commission, can affectively resolve this problem, and we would very much appreciate your views on this matter. Thank you for your consideration, and the assistance we feel confident in anticipating.

Yours sincerely



Michael E. Ryan
Managing Director

MER/pjo
Encl.



Minister
of Transport

Ministre
des Transports

Place de Ville
Ottawa
K1A 0N5

Mr. Michael E. Ryan,
Managing Director,
Canadian Paraplegic Association,
520 Sutherland Drive,
Toronto, Ontario.
M4G 3V9



Dear Mr. Ryan:

Thank you for your letter of 11 January 1984, with which you enclosed a copy of a submission to the Canadian Transport Commission's Air Transport Committee, concerning the difficulties experienced by the physically disabled in using air carriers in Canada. I sincerely appreciate your bringing the concerns of the Canadian Paraplegic Association to my attention.

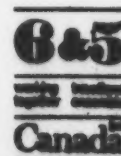
Since my appointment as Minister of Transport, I have become increasingly concerned that the transportation system is not fully accessible to many Canadians. It was with this concern in mind that I recently announced the Policy on Transportation of Disabled Persons. I am pleased to enclose a copy of the policy for your information. This policy represents my commitment to the resolution of the technological and managerial problems that limit the mobility of disabled Canadians. To ensure that I will be able to meet that commitment in the air mode, I have appointed two special advisors to develop accessibility standards for services provided by air carriers and at Transport Canada's airports.

Mr. Ed Ratushny is the special advisor concerned with accessibility standards provided by air carriers, and Ms. Patricia Falta is responsible for the services provided at Transport Canada's airports. Both advisors will be consulting with the industry, other levels of government and organizations, such as yours, representing disabled persons.

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Canada

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With respect to the matter of Wardair's tariff rules governing the carriage of disabled persons, I am pleased to be able to enclose their revised tariff which is to come into effect on 26 March 1984. You will note that it closely parallels those rules filed by the Canadian scheduled carriers.

I have read with interest your submission to the Canadian Transport Commission (CTC) concerning air fares for attendants of disabled passengers. This matter still rests with the CTC and I am hopeful that it will issue a decision soon.

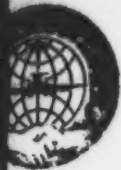
Once again, thank you for bringing your concerns to my attention. I would also like to assure you of my commitment to provide a fully accessible transportation system to disabled persons.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Lloyd Axworthy", with a stylized flourish at the end.

Lloyd Axworthy

Enclosures



CANADIAN AIR LINE FLIGHT ATTENDANTS' ASSOCIATION
ASSOCIATION DU PERSONNEL NAVIGANT DES LIGNES AÉRIENNES CANADIENNES
ROOM 880, AIRPORT SQUARE, 1200 WEST 73rd AVE., VANCOUVER, B.C. V6P 6G5 TELEPHONE (604) 266-1421

April 16, 1984

Ed Ratushny
Special Advisor
Air Accessibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada
Ottawa, Ontario
K1A 0N5

Dear Mr. Ratushny:

Re: Standards of Accessibility to Air Travel by Disabled Persons

Thank you for giving us the opportunity to provide input on the question of how to make air travel more accessible to disabled persons.

In preparing our response, we have had the benefit of Transport Canada's "Policy on Transportation of Disabled Persons" (1983) and "Draft #2, Preliminary Analysis Regarding Accessibility Standards for Aircraft," prepared for the Advisory Committee on Transportation of the Handicapped by J. Tait, Feb. 15, 1984.

We wish to emphasize that our response is based on the perspective of flight attendants whose primary concern is to ensure the safety of passengers and whose secondary concern is the provision of service according to the air carrier's standards.

From the standpoint of human rights, we believe that disabled persons should enjoy the same right of access to air travel that is enjoyed presently by non-disabled persons.

With respect to the definition of "disabled person", we object to the inclusion by Transport Canada of the elderly, the obese, pregnant women and any person with injuries ("Policy on Transportation of Disabled Persons," Transport Canada, 1983, p.6). Neither age, size, nor pregnancy is, in itself, a disabling condition and there are many injuries which would not limit a passenger's mobility in an aircraft.

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April 16, 1984
Ed Ratushny

For the purposes of access to air travel, we believe that the definition of "disabled person" presently used by Air Canada is more practical and less discriminatory:

"Passengers are considered disabled when their physical, medical or mental condition requires individual attention which is normally not extended to other passengers on enplaning, deplaning, during flight, in an emergency evacuation or during ground handling."

(Air Canada Manual 356: Emergency Information and First Aid, Chapter 3, Page 47).

From a flight attendant perspective, there are two issues which must be examined and resolved before equal access is provided to disabled persons:

1. To what extent should cabin service to the majority of passengers (non-disabled) be compromised in order to provide individual care for the minority (disabled)?

We wish to make you aware of the special attention now provided by flight attendants to disabled passengers. Providing such special care often is very time-consuming, and diverts attention from non-disabled passengers who have paid for, and expect to receive, the high level of service as advertised by the air carrier.

Below are a few examples of the care that flight attendants now provide to disabled passengers:

- (a) Prior to takeoff, provide a safety briefing for blind passengers; take them to the nearest emergency exit and show them how to count the number of seat rows to the nearest exit. In the case of non-ambulatory passengers, discuss with them the best means of access to an emergency exit.
- (b) Stow mobility aids prior to takeoff, retrieve them for their owners during flight, and stow them again prior to landing. Contrary to the impression given in "Draft #2" ("Often, compartments on aircraft are empty or nearly so" - p.9), at present there is

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April 16, 1984
Ed Ratushny

(b) cont'd

rarely enough space inside the aircraft cabin to adequately stow all the baggage that passengers bring on board.

- (c) Show blind passengers where various items of food are located on the tray, and cut certain foods when requested.
- (d) Assist blind passengers in walking to and from the washroom. In the case of a passenger who is partially ambulatory, often a flight attendant carries that person to the washroom, assists in the washroom and carries the individual back to her/his seat.

Air Canada has been experimenting with collapsible wheelchairs on wide-bodied aircraft, to assist passengers in washroom access. These have proven very helpful, and we suggest that each major passenger-carrying aircraft be equipped with a collapsible wheelchair.

The collapsible wheelchair will reduce the risk of injury to both flight attendants and passengers in accessing the washroom, but it will not reduce the time necessary to care for the passenger. The flight attendant must assemble the wheelchair, help the passenger get into it, take the passenger to the washroom, wait for the passenger, wheel the passenger back to her/his seat, help the passenger into the seat, and stow the wheelchair. Even if the disabled passenger is accompanied by an assistant, the flight attendant still has to retrieve the wheelchair, explain its operation to the assistant, and put the wheelchair away.

- (e) When the aircraft lands, help the disabled individual deplane after all other passengers have left the aircraft.

In outlining some of the services provided to disabled passengers by flight attendants, it is not our purpose to complain about having to assist such individuals. Those duties are part of our job, and we are pleased to be of service.

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April 16, 1984
Ed Ratushny

However, we wish to make you aware that if air travel is made more accessible to greater numbers of disabled persons, then service to the majority of passengers may suffer - particularly at a time when air carriers are reducing the number of flight attendants. Providing wheelchair access to the washroom in the middle of a meal service, for instance, could seriously disrupt the service schedule required by an air carrier.

Will/should the majority of passengers tolerate a lower standard of service than what they have paid for?

2. To what extent is it possible to provide adequate facilities and sufficient personnel to assist the disabled during an emergency evacuation?

This is a moral issue, as well as an economic one. In our view, it is morally offensive to provide equal access to air travel without at the same time ensuring equal access to emergency evacuation.

At present, Air Canada allows a maximum of 36 non-ambulatory passengers on board a B-747. The number of flight attendants provided on an aircraft is based on a formula of one per 40 passengers. If a B-747 carries 240 passengers, for example there will be 6 flight attendants on board, regardless of whether the number of non-ambulatory passengers is 2 or 36.

If it is necessary to evacuate the aircraft due to fire or other reasons, who will help the disabled to get out of their seats and reach an emergency exit? Flight attendants are instructed to lead passengers as far away from an aircraft as possible, following an evacuation. If a non-ambulatory passenger manages to reach an emergency exit, and goes down the chute, who will assist her/him in escaping to a safe place away from the aircraft? Who will assist such individuals in the case of a ditching or an evacuation that does not take place at an airport? Who will take the blame if a B-747 crashes and all passengers and crew members survive except the 25 non-ambulatory passengers?

In order to ensure that disabled persons enjoy the same right to survive as non-disabled persons, we recommend that each disabled passenger be accompanied by an attendant and that the total number of disabled persons carried on each flight not exceed the number of flight attendants.

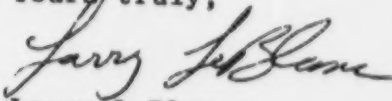
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April 16, 1984
Ed Ratushny

In addition, it is our opinion that disabled persons should not be seated at exit rows.

Because it is imperative that appropriate standards be enacted with full knowledge of special care required to be provided by flight attendants, we suggest that you meet with our National Health and Safety Chairperson, Barbara Dunn. She can be reached at our Vancouver office.

Yours truly,



Larry LeBlanc
National President

LL/ab/ss
oteu 15

cc: B. Dunn

Charlie Sheppey
Box 191, R. R. 2
Nepean, Ontario
K2C 3H1

February 27, 1984

Air Accessibility Standards
Hon Lloyd Axworthy
Transport Canada
Ottawa, Ontario
K1A 0N5

Dear Sir:

I am writing to give you my views on the term "self-reliant" as it applies to the physically disabled when they use the services of Air Carriers, in Canada.

I have been a paraplegic for 32 years and always considered myself to be self-reliant. When I take my seat in the aircraft, I consider myself to be self-reliant. I will not require to go to a washroom. I will eat or drink what is put in front of me and I will not require any assistance. I also appreciate, that if the aircraft develops any problems, I may be one of those people who does not get off. I do not expect other passengers or the crew to sacrifice themselves to assist me to get off. I would not expect or ask anyone whom I was forced to bring with me, to sacrifice themselves, to aid me. Either, I accept this condition as one of the facts I face, with my disability in the same circumstances as a disabled person living on the upper floors of an apartment building, above the level to be reached by fire department ladders, may not be able to escape a serious fire, but if he wishes to do this, he must be allowed to do so.

The chances of an aircraft developing problems are very small and certainly a disabled person is far from being a "daredevil", when he takes a DC 9 from Ottawa to Toronto to travel for 55 minutes rather than drive his car there and travel for about 5 hours, plus be in much more hazardous conditions over this much longer time.

Finally, what I'm saying is that the terms: 'self-reliant' and 'non-self-reliant' must be used with a great deal of fairness and judgement. And, the small possibility of the aircraft developing a problem while in flight - and me not being able to get off - without an attendant, must not be a factor in deciding that I need an attendant.

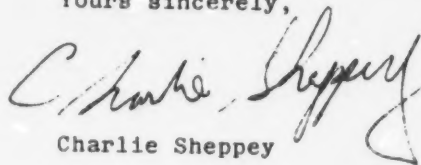
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Hon.LLoyd Axworthy

February 27, 1984

However, if it is decided that some disabled do require an attendant and he/she will fly free, it is only logical that the non-self-reliant disabled person would sit at the ticket counter with a sign, offering a lower price for the use of his free attendant seat! If the non-self-reliant disabled person is forced to pay for two seats, it would be so unfair, and such an infringement on his human rights, as to be impossible to implement.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Charlie Sheppey".

Charlie Sheppey

CS:mds

cc: COPOH - Winnipeg



Minister
Transport Canada

Ministre
Transports Canada

Place de Ville
Ottawa
K1A 0N5

APPENDIX T

December 19, 1983

Mr. Angus C. Morrison
President and Chief Executive Officer
Air Transport Association of Canada
747 Metropolitan Life Building
99 Bani Street
OTTAWA, Ontario
K1P 6B9

Dear Mr. Morrison:

RE: Transportation of Disabled

Thank you for your letters dated October 14th and November 25th. I also appreciated receiving the views of airline Presidents on this issue earlier this month. Since a copy of your letter of October 14th was sent to Mr. Gray, Vice-President of the Canadian Transport Commission, I have taken the liberty of sending him a copy of this letter as well.

With respect to the development of a policy on the transportation of the disabled, I believe that we are well beyond the stage of conducting formal public hearings as you have suggested. In view of the hearings of the Special Parliamentary Committee on the Disabled and the Handicapped and the reports issued by that body followed by extensive consultations conducted by my officials and my Advisory Committee on the Transportation of Disabled Persons, I believe that further public hearings are unnecessary. I propose to publish a policy on the transportation of disabled persons early in the New Year in the form of a broad statement of general principles which will provide a framework for increasing accessibility.

.../2

Canada

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Mr. Angus C. Morrison
President and Chief Executive Officer
Air Transport Association of Canada
(Cont'd)

2.

Of course, I agree that there are practical, technical and cost considerations which are involved in achieving this goal. The next stage will be to resolve these practical problems in full consultation with carriers, suppliers, other levels of government, representatives of disabled persons and senior citizens as well as the general public. I will be taking further initiatives with respect to implementation in the New Year, as well, and your Association can be assured of full opportunities for participation in working out practical solutions in areas of concern to you. However, I am not convinced that formal public hearings are the best route to follow at the implementation stage either.

In your correspondence, repeated reference is made to your view that accessibility to transportation by the disabled is a "social service" which should be financed by the Government (through the Department of Health and Welfare). I may say to you quite frankly, that I do not share your perspective on this issue. In my view, reasonable access by the disabled is an issue of basic equality and dignity which is recognized by the Canadian Human Rights Act as well as the Canadian Charter of Rights and Freedoms. As such, reasonable accommodation to the special problems of the disabled must be made by all segments of our society and not merely through government "welfare" programs. In some cases, that may mean an additional "cost of doing business" which is ultimately shared by all consumers.

In the specific case of disabled persons who must be accompanied by attendants, I believe that the cost of accommodation of such attendants would be very marginal when shared by all other passenger-consumers. Indeed, I am in basic agreement with the conclusion reached by the Air Transport Committee in Decision #6679 which was enclosed with your letter of October 14th. Although I recognize that there were certain procedural problems which required that the matter be reconsidered, I was pleased to see that the ATC had substantially adopted Recommendation 88 of the "Obstacles" Report of the Special Parliamentary Committee, while at the same time recognizing that certain issues must be resolved prior to full implementation.

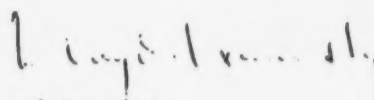
.../3

Mr. Angus C. Morrison
President and Chief Executive Officer
Air Transport Association of Canada
(Cont'd)

Since Recommendation 88 was specifically referred to the Canadian Transport Commission by my predecessor, I am inclined to await its final report on this specific issue before initiating further action on our part, particularly since the ATC is receiving further evidence and representations which could lead to a modified result. However, I am anxious that this matter be resolved as quickly as possible so that implementation of appropriate provisions may proceed.

With best wishes.

Yours sincerely,


Lloyd Axworthy

c.c. Mr. John T. Gray, Q.C.
Vice-President
Canadian Transport Commission



TO COMPLETED BY AC REPRESENTATIVE

1. Passenger's Name _____ Age _____
2. Flight/Date _____ From _____ To _____
 Flight/Date _____ From _____ To _____
 If Interline, Airline/Flt./Date _____
3. Name and Relationship of Person requesting reservation if other than passenger: _____
4. Attending Physician _____ Telephone _____

 TO BE COMPLETED BY (OR OBTAINED FROM) ATTENDING PHYSICIAN
 (This information for use by AC physician who is a specialist in Aviation Medicine)

5. Diagnosis (include date of onset of present illness episode or accident:) _____
6. Present symptoms, severity and immediate prognosis for this trip _____
7. Will a 25-30% reduction in the Ambient Partial Pressure of Oxygen affect the passenger's medical condition? ☐ Yes ☐ No
8. Vital Signs
 - a. Anemia ☐ Yes ☐ No (If yes, give degree in grams of hemoglobin _____)
 - b. Blood pressure _____
 - c. Is the heart compensated? ☐ Yes ☐ No
 - d. Bladder Control ☐ Yes ☐ No (If no, state mode of control _____)
 - e. Bowel control ☐ Yes ☐ No
 - f. Shortness of Breath ☐ None ☐ At Rest ☐ On Exertion
 - g. Supplemental Oxygen Need ☐ No ☐ 2 liter/min. ☐ 4 liter/min.
9. Is the passenger traveling a. ☐ Accompanied b. ☐ Unaccompanied If accompanied, list person and qualifications: _____
10. Degree of Ambulation
 - a. Yes No Sitting Case able to care for needs.
 - b. Yes No Sitting Case will require assistance for basic needs
 - c. Yes No Wheelchair required for boarding.
 - d. Yes No Stretcher case (All stretcher passengers must be accompanied by a qualified attendant able and responsible for the passenger's personal needs, medications, etc.)
11. Additional medical information _____
12. Attending Physician Signature _____ Date _____
13. Air Canada Medical Services action: ☐ Approved ☐ Disapproved ☐ Pending More Information



The Canadian National Institute for the Blind L'Institut national canadien pour les aveugles



National Office/Siège social

1931 Bayview Avenue, Toronto, Ontario M4G 4C8 Tel: (416) 496-2636 Cable/Câble "Canib"

Patron, His Excellency The Right Honourable Edward Schreyer, C.C., C.M.M., C.D., Governor General of Canada

Patron d'honneur Son Excellence le très honorable Edward Schreyer, C.C., C.M.M., C.D., Gouverneur général du Canada

March 30, 1984

Mr. Ed Ratushny
Special Advisor
Office of the Minister
Transport Canada
Place de Ville
Ottawa
K1A 0N5

Dear Mr. Ratushny:

This letter is the response of The Canadian National Institute for the Blind to your request for written comments regarding a draft set of standards of accessibility to govern air carriers in the level of services provided to disabled passengers.

While The Canadian National Institute for the Blind wishes to provide support and encouragement in the development of such a draft, we would also like to continue to express our concern that this effort ultimately result in tangible solutions to the many specific and concrete needs relating to the transportation of blind and visually impaired persons.

Please note the content of this letter will be directed toward your request for accessibility concerns specifically relating to air carrier level of service.

In outlining transportation service accessibility concerns for many blind and visually impaired persons we would like to draw your attention to our November 3, 1983, submission (see attached copy) to Mr. W.V. Taillon with regard to the current discriminatory practice of charging two air fares for an individual who is required to have an accompanying attendant. This is particularly true in the case of the recently blinded individual who may not have independent travel skills as well as the deaf-blind person requiring an intervenor. An intervenor serves as the communication link to the outside world for the deaf-blind person.

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Mr. Ed Ratushny

- 2 -

March 30, 1984

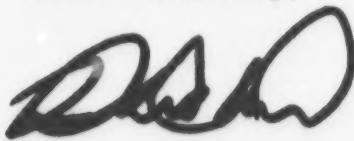
A blind or visually impaired person requiring an attendant to travel could easily be identified for the special rate through the implementation of a multi-modal identification card such as The Canadian National Institute for the Blind card currently used for this purpose by the rail and bus services (note attached information). We feel any proposed practice which would require a doctor's verification of the need for an attendant each and every time a disabled person travels is both cumbersome and unnecessary. We draw this concern to your attention with regard to Air Canada's proposed plans in implementing the half-fare rate for a disabled person's attendant.

Other accessibility concerns which we would like to draw to your attention involve the need for establishment of an ongoing sensitivity training program for air carrier service personnel. Such personnel should be made aware of the special needs of blind and visually impaired persons and receive basic information to enable them to more readily meet these needs. Such a sensitivity training program should be established as a mandatory part of initial training for all air carrier service personnel.

All print emergency procedure information available in the seat pocket for each passenger should be made accessible to visually impaired and blind persons. This material should be made available in braille, tape and large print form for the blind or visually impaired traveller.

The Canadian National Institute for the Blind continues to be very interested in all matters concerning the improvement of transportation accessibility for all disabled persons and in particular blind and visually impaired persons. We look forward with positive expectations to the development of the standards of accessibility to air travel by disabled persons.

Yours sincerely,



Robert A. Elton
Director
Department of Rehabilitation

CAR:RAE:rt
Enc.

c.c. E.J. Herie
Executive Directors

PARSONS AIRWAYS NORTHERN LTD.



HEAD OFFICE

P.O. BOX 758

FLIN FLON, MANITOBA
R8A 1N6PHONE (204) 687-3188
687-4884

March 22, 1984

Mr. Ed Ratushny - Special Advisor
Air Accesibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada
Ottawa K1A 0N5

Dear Sir:

We at Parsons Airways Northern Ltd. have been in the air carrier business since 1953 and we can truthfully state that the number of times we have been called upon to provide transportation for disabled persons (excluding injuries due to accidents, stretcher cases, etc.) is negligible.

The writer has been flying or otherwise engaged in commercial air transportation since 1945 and can only recall three instances where we had to provide transportation for people in wheel chairs. We are sure that if we provided full facilities to accomodate the disabled, we would not get any more requests from the disabled to provide them with air transportation.

We feel that it would be a waste of time and money for carriers in our category to provide any further accomodations for the disabled as they would not be used.

Yours truly,

R. G. Ferguson
President
Parsons Airways Northern Ltd.

RGF/kb

RECEIVED
COMMUNICATIONS
SECTION
MAR 26 1 04 PM '84

RANGER**RANGER HELICOPTERS CANADA**

793 RIVER ROAD, R.R.#4, SAULT STE. MARIE, ONTARIO, CANADA P6A 5K9

March 5, 1984

Ed Ratushny
Office of the Minister
Transport Canada
Place de Ville
Ottawa, Ontario
K1A 0N5

Dear Mr. Ratushny:

Reference your undated correspondence regarding Standards of Accessibility to Air Travel by Disabled Persons.

Ranger Helicopters Canada is a Helicopter Charter operator, mainly involved in the transportation of personnel and goods relating to the exploration industry, Ministry of Natural Resources and Fire Support.

As a result, we have no experience in providing an air service for disabled persons. We do, however, provide helicopters specially equipped for aeromedical evacuation. In this instance we always carry qualified paramedics and our helicopters are equipped with stretchers.

In your letter you ask if attempts should be made to develop different regulations for different aircraft. I would agree that perhaps we should have regulations for different categories of aircraft. It would be extremely difficult, if not impossible, for operators of light helicopters to provide a service for disabled individuals. Simply because of the size and location of entrance and exit doors we could not provide suitable methods for a disabled person to enter or exit our helicopters in a dignified manner.

As we have had no call for such a service, I am sorry I cannot be more helpful or positive. If you feel we can help further, please do not hesitate to get in touch.

Yours truly,

[Signature]
Matt K. Millar
Operations Manager

MKM/sf

AL07



1984 March 08.

Mr. Ed Ratushny,
Special Advisor, Air Accessibility Standards,
Office of the Minister,
Transport Canada,
Place de Ville,
Ottawa, Ontario.
K1A 0N5

Our File: A-11

Dear Mr. Ratushny:

Thank you for inviting us to make comments with respect to: "Standards of Accessibility to Air Travel by Disabled Persons".

As a member of the Air Transport Association of Canada's ad hoc Committee on the Transportation of the Disabled, we are vitally interested in these standards.

At the outset, we want to be on record with our agreement that insofar as possible significant barriers to transportation of the disabled should be removed.

From the latest figures available from the Aviation Statistics Centre for the year 1981, the total of domestic passenger unit toll and charter movements by all levels of carrier was 19,659,255.

The domestic unit toll and charter movements for the trunks (Air Canada and CP Air), the Regionals (Pacific Western, Nordair, Eastern Provincial, Quebecair) and including Wardair domestic charters was 17,393,918, which represents 88.5% of all passenger movements. These aforementioned carriers are operating narrow and wide-body jets ranging in size from the BAC 111 through the DC 9, Boeing 737, Boeing 727, Lockheed 1011, DC 10, Boeing 757, 767 to the Boeing 747.

Local Service Carriers carried the balance of 2,265,255 or 11.5% of all passenger movements. These carriers utilize an extremely broad range of propeller and turbo prop aircraft with passenger carrying capacities of one or two in Group A to under sixty in such aircraft as the HS 748, F 27 and Convair 580 in Group E. In between these two weight categories fall a broad range of aircraft by various manufacturers, - Cessna, Piper, Shorts, Beechcraft, Saunders, deHavilland DH 6, Dash 8, Dash 7 and so on.

A108

In our opinion, it would not be possible to put in place a set of accessibility standards, appropriate for the trunks and regional carriers operating narrow and wide-body jets, and to make these standards applicable to the Local Service Carriers operating aircraft with less than sixty seats.

In our view, it would be an extremely difficult task to attempt to devise a set of standards declining with the number of passenger seats and dependent upon the size, type and configuration of a particular aircraft.

In addition to the variations in equipment operated by Local Service Carriers, one must also examine the facilities which exist in many of the communities served by these carriers.

To illustrate, First Air operates Class 2 scheduled services from bases at Frobisher Bay and Hall Beach serving some twelve Eastern Arctic communities.

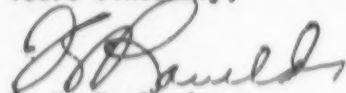
The environment and physical nature of these communities allows only the most rudimentary facilities which impose on the disabled certain mobility barriers within the community itself.

However, despite these rather primitive conditions, we, as an air carrier, do everything we can to see that the disabled can travel on our airline with confidence and dignity. We are prepared to provide all those facilities which are practical given the size of the aircraft and its physical limitations.

In connection with the provision of special services and equipment, we refer to the Final Rule re: "Non discrimination on the Basis of Handicap", adopted by the Civil Aeronautics Board, 1982 June 03: "We recognize, however, that rules requiring the provision of special services and equipment may be proportionately more burdensome on commuter airlines (Local Service Carriers) than on larger carriers. These rules may impose costs on commuters that outweigh their benefits. For that reason, we have decided to apply this rule only to commuters receiving subsidy from the Board."

We respectfully suggest that Local Service Carriers, operating aircraft with less than sixty seats be exempted from the application of the accessibility standards and that these standards apply to carriers operating jet aircraft only.

Yours sincerely,



T. E. Rowlands,
Director Scheduled Services.

c.c. - Mr. Stu Grant,
Vice President,
Air Transport Association of Canada,
747 Metropolitan Life Building,
99 Bank Street,
Ottawa, Ontario.
K1P 6B9

ATAC TRAINING SPECIFICATIONSDISABLED AND HANDICAPPED PASSENGERS

The following lists identify the elements upon which training is required within three functional areas:

- Reservations and City Ticket Offices
- Airports
- In-Flight

Training requirements within each area include:

- A section directed toward increased sensitivity toward the disabled
- A section listing specific processes and procedures particular to that area requiring training
- A section describing in broad terms how service is provided to the disabled passenger in each of the other two areas.
- A section describing various disabilities and the resultant limitations in terms of transportation; an understanding of categories of disability, industry codes and restrictions.

RESERVATIONS AND CITY TICKET OFFICES

A) Sensitivity toward the Disabled Passenger

- Communicating with the disabled
- Identifying passenger limitations, and capabilities, in conversation with the passenger
- Recognizing the desire of the disabled for self-reliance and to be treated as an individual

B) Identification of Disability

- Understanding of definitions:
 - . ambulatory
 - . self-reliant
- Understanding of various categories of disability, and the related transportation restrictions and industry codes.
- Requirement for type of attendant:
 - . medical
 - . personal
- Regulations applicable:
 - . seating locations
 - . stowage of mobility aids
 - . restrictions on numbers per flight
 - . requirement for attendant.

C) Procedures

- Booking space for disabled passenger.
- PNR completion, use of proper codes
- Interline bookings:
 - . international
 - . domestic
- Medical Clearance:
 - . when is it required?
 - . how is it arranged?
 - . what forms are required?
 - . requirement for personal attendant?
- Equipment:
 - . list and describe use of special equipment

RESERVATIONS AND CITY TICKET OFFICES (cont'd)

- Advice:

- . what offices need to be advised
- . procedure for advice

- Approvals:

- . how to obtain approvals for exceptions, and for excessive numbers of non-ambulatory per flight

- Special Procedures for:

- . stretcher bookings
- . oxygen supply in flight
- . incubators
- . electrical power in flight
- . related charges

- Passenger Information:

- . recommend to pack medication in handbags
- . advice to passenger regarding check-in and airport handling

D) Knowledge of Airline Handling

- Airport handling in brief
- In-Flight handling in brief

AIRPORTS

A) Sensitivity

- Understanding various disabilities and the resultant limitations on passenger capabilities.
- Communicating with the disabled passenger:
 - . identifying his special needs
 - . identifying his preference for method of physical handling
 - . best means of communication for specific disabilities
 - . providing reassurance of airline concern for their well-being

B) Identification of Disability

- Understanding of definitions:
 - . ambulatory
 - . self-reliant
- Understanding of various categories of disability, and the related transportation restrictions and industry codes.

c) Procedures

- For reservations and ticketing functions at airports, review procedures for those functions.
- Wheelchair passengers:
 - . how to handle wheelchair - steps and stairs
 - slopes
 - elevators
 - doors
 - . transfer of passenger from one wheelchair to another
 - . how to support limbs, when necessary
 - . handling aisle wheelchair
 - . moving passenger into/out of aircraft seat
 - . acceptance of wheelchair as baggage
 - . acceptance of wheelchair battery as baggage
 - . boarding aircraft
 - using mechanical lift
 - using ramp or airstair

AIRPORTS (cont'd)

C) Procedures (cont'd)

- Stretcher cases:

- . installation procedure
- . location

- Blind:

- . seating location
- . guide dog acceptance, and on-board location
- . giving direction to blind passenger - obstacles, stair, doors
 - verbal direction
 - physically leading
 - white canes
- . if unaccompanied, ensuring someone always responsible for passenger in case of flight irregularities, messages, etc.

- Deaf

- . guide dog acceptance and location on-board
- . communicating with the passenger
- . seating location
- . depending on degree of deafness, need to have someone responsible for unaccompanied deaf passenger.

AIRPORTS (cont'd)

C) Procedures (cont'd)

- General

- . restrictions on numbers of specific categories
- . seating restrictions, all categories
- . requirement for personal attendant in specific cases
- . advice to In-Flight services
 - boarding pass
 - passenger manifest
- . advice to gate personnel and downline/destination airports using correct industry codes
- . preboarding/deplaning assistance
- . handling of mobility aids
- . allowing personal attendant to remain with disabled passenger

D) Knowledge of Airline Handling

- Reservation/City ticket Office handling, in brief
- In Flight handling, in brief.

- Blind/Deaf/Mute Combination

- . need for personal attendant

- Hemiplegia/Stroke Victim

- . characteristics and limitations
- . best method of assisting in movement
- . best method of communicating

- Elderly

- . providing reassurance of our concern for them
- . providing assistance in movement
- . extra care in giving directions

- Passenger, travelling under Medical Clearance

- . recognizing cases where medical clearance is required
- . determining if clearance has been provided
- . obtaining clearance if not already given.

IN-FLIGHT

A) SENSITIVITY

- Understanding various disabilities and the resultant limitations on passenger capabilities.
- Communicating with the disabled passenger:
 - Identifying their special needs
 - Identifying their preference for method of physical handling
 - best means of communication for specific disabilities
 - providing reassurance of airline concern for their well-being

B) IDENTIFICATION OF DISABILITY

- Understanding of definitions;
 - ambulatory/non-ambulatory
 - self reliant/non-self reliant
- Understanding of various categories of disability, and the related transportation restrictions and industry codes.

C) KNOWLEDGE OF GROUND HANDLING

- Reservations/City Ticket Office and Airport handling (brief presentation)

D) PROCEDURES

- Pre-flight briefing;
 - establishing needs
 - safety requirements
- In-flight service:
 - food and beverage
 - communication - blind, deaf, speech impaired, etc.
 - personal assistance - directions, mobility assistance
 - irregular operations - responsibility

D) PROCEDURES (CONT'D)

- Deplaning assistance
 - communication with agent
 - assistance
 - remaining with passengers until ground staff take over
- Emergency evacuation procedures
- List and describe use of special equipment

IR-56

COMMENTAIRES DE L'OFFICE DES PERSONNES HANDICAPEES DU QUEBEC
SUR SON MEMOIRE (DOCUMENT IR-52-2) PRESENTE
AU COMITE DES TRANSPORTS AERIENS
COMMISSION CANADIENNE DE TRANSPORT SUR LA REGLEMENTATION
DES TARIFS AERIENS EXIGES DES INVALIDES
REFERENCE NO. 13-14

Office des personnes
handicapées du Québec

Avril 1984

Pour informations:

Georgette Besnard

IR-56

COMMENTAIRES DE L'OFFICE DES PERSONNES HANDICAPEES DU QUEBEC SUR
SON MEMOIRE (DOCUMENT IR-52-2) A LA COMMISSION CANADIENNE DE TRANS-
PORT SUR LA REGLEMENTATION DES TARIFS AERIENS EXIGES DES INVALIDES

PRINCIPES DEFENDUS PAR L'OPHQ

- a) "Accès, pour toute personne handicapée, aux moyens de transport
lui permettant un degré de mobilité et d'autonomie équivalent
à celui dont dispose la population en général".

A cet égard, l'Office se rallie à la politique relative au transport des personnes handicapées "de faire en sorte que tous les transporteurs qui relèvent de la compétence du gouvernement fédéral, assurent à ces personnes des déplacements sûrs (qui n'offrent aucun danger) fiables et équitables (de façon à respecter les droits de chacun et conformes à la justice)."

L'Office s'appuie également sur la Charte canadienne des droits et libertés et sur la loi canadienne sur les droits de la personne qui interdisent toute discrimination à l'endroit des personnes handicapées en ce qui concerne l'accès aux biens et aux services y compris le transport aérien.

- b) Accessibilité maximale des infrastructures et des équipements
servant au transport aérien dans les aéroports et à bord des
appareils.

Ces équipements spéciaux pourraient comprendre quelques sièges adaptables à toutes les tailles avec ceintures de longueur appropriée, des salles de toilettes accessibles et adaptées, des sièges spéciaux de déplacement à l'intérieur des appareils, un emplacement "adaptable" à différents handicaps ou à des personnes obèses, avec rideau "tirable" pour assurer la discrétion à certains moments particuliers et le respect des personnes elles-mêmes et des autres voyageurs.

Ces équipements pourraient également faciliter les déplacements et le confort d'une clientèle plus âgée, toujours grandissante et très intéressante pour les transporteurs aériens.

- Pour les personnes handicapées de l'ouïe, des signaux visuels explicites doivent être prévus.
- Pour les personnes aveugles, des signaux audibles devront être installés et un endroit spécial pour les chiens guides, prévu. Actuellement, certains chiens guides sont dirigés vers la soute aux bagages où il subissent les fluctuations compression/décompression, ou ils sont plongés dans un milieu étranger qui feront que leurs comportements pourront être différents et non adéquats à la fin du voyage.
- Pour les personnes handicapées en fauteuils, le transporteur devra prévoir des dispositifs pour le transport sécuritaire des batteries servant aux fauteuils électriques, la manipulation adéquate des fauteuils, le rangement minutieux à l'abri d'accident des fauteuils, la possibilité de réparations urgentes dans le cas de bris occasionnés par la manutention.

La disponibilité des fauteuils roulants pour des passagers handicapés devra être assurée lors d'escalas justifiant le débarquement des passagers (autrement et c'est souvent le cas, le passager se voit "paralysé" pendant une ou deux heures dans des aéroports où on fait escale).

c) Adaptation et sensibilisation du personnel

"Une ouverture d'esprit" et une formation du personnel aérien dans l'adaptation des services aériens, faciliteraient aussi de manière appréciable, l'utilisation des services aériens..

Les journaux parlent des prévisions à très court terme de la croissance du transport aérien pour la population en général.

L'Office croit qu'une solution au problème d'accueil d'une clientèle handicapée, pourrait être simplifiée dans les aéroports et à bord des appareils, par la sensibilisation et la formation adéquate du personnel. Celui-ci pourrait être préparé à toutes éventualités incluant les problèmes particuliers à certains handicaps; et cette formation, du même coup, pourrait servir la population à mobilité réduite parce qu'âgée, qui s'accroît et voyage de plus en plus.

Questions posées par la commission des transports aériens:

1. Transport gratuit d'un accompagnateur.

Outre les commentaires déjà énoncés "tort psychologique dans le cas d'une imposition non justifiée d'un accompagnateur, inconvénients matériels et financiers graves pour le voyageur handicapé", nous voulons formuler ici une mise en garde:

" Dans le cas où une personne handicapée est obligatoirement accompagnée, la responsabilité du transporteur n'est pas de ce fait déchargée et dans l'éventualité d'une urgence ou d'une évacuation, le personnel de l'appareil devra être formé pour intervenir.

. . . 4

2. Dispositions tarifaires pour le transport d'une personne qui, en raison de son obésité, de sa forte taille ou de son handicap, exige plus d'un siège.

L'Office recommande encore et avec le plus de force possible, qu'on ne fasse payer que le prix d'un seul siège dans les cas sus-mentionnés.

Permettez ici une parenthèse: La personne qui assume le mandat de préparer le présent mémoire s'est présentée elle-même aux employés de Air Canada et CP Air invoquant qu'elle devait se rendre à Vancouver le 28 avril 1984 et revenir le 15 mai avec sa mère pesant 400 livres. Le passage pour elle est de 329 00 \$ pour sa mère, le double 658 00 \$ à la condition de réserver 25 jours avant le départ, autrement, 844 00 \$ pour elle et 1 688,00 \$ pour sa mère

Une question troublante se pose ici. A quel moment une personne qui a des droits comme étant une seule personne (donc une seule voix en cas de vote démocratique), devrait elle devenir deux personnes avec des obligations de payer pour un double passage ou "double fare" sans que ce soit discriminatoire pour elle?

RECOMMANDATIONS A LA CCT

Pour conclure, l'Office apporte son appui inconditionnel à tous les organismes de personnes handicapées qui se sont fait entendre pour expliquer les problèmes de discrimination auxquels il sont confrontés dans leurs déplacements aériens mais ici encore, l'Office croit que le fardeau financier découlant du choix d'une société désireuse d'accorder l'égalité d'accès aux biens et services, ne devrait pas peser sur le transporteur uniquement et que des mécanismes de compensation devraient être prévus en faveur du transporteur.

L'Office est heureux d'associer sa présente démarche à celle de Transports Canada et de contribuer ainsi à ce que le Canada soit le premier pays du monde à déterminer des normes qui devraient ouvrir la route pour obtenir une réciprocité internationale en commençant avec les transporteurs qui utilisent les services aériens et les aéroports canadiens.

L'Office croit que les décisions qui vont découler de cette recherche sont excessivement importantes puisqu'elles offrent un autre moyen d'autonomie et d'intégration aux personnes handicapées que l'on veut voir traiter "à part égale".

GB/cs

1984-04-03



ALBERTA REHABILITATION COUNCIL
for the DISABLED

PROVINCIAL OFFICE: 303 Kingsway Garden Mall, Edmonton, Alberta T5G 3A6 (403) 474-8381
SOUTH REGION OFFICE: 410 Sloane Square, 5820 - 1A St. S.W., Calgary, Alberta T2H 0G3 (403) 258-2802

March 27, 1984
Edmonton, Alberta

Mr. Ed Ratushny
Special Advisor
Air Accessibility Standards
Office of the Hon. Lloyd Axworthy
Transport Canada
Ottawa, Ontario
K1A 0N5

Dear Mr. Ratushny:

Congratulations on your appointment by the Minister of Transport. At this time, we would like to give you our thoughts on standards of accessibility regarding air travel by disabled persons, in particular, wheelchair users.

Specific example:

- (a) Because of the inaccessibility of washrooms and a method to travel to them, a number of disabled persons, with whom we are acquainted, dehydrate themselves for days in order to travel on aircraft. This can cause severe medical problems and should be discouraged by providing an on-board travel chair which will fit in the washroom.
- (b) There is a lack of space to enable the wheelchair user to get to his/her seat independently. This, coupled with the lack of knowledge of the aircraft personnel in dealing with disabled persons has provided some hair-raising experiences which infringe upon the person's dignity.
- (c) At times, there have been instances where disabled people have fallen in transferring into airline wheelchairs because of the style (fixed armrests and footrests) or improperly repaired equipment.

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- (d) Because of a lack of dialogue between ground crew and aircraft crew, there have been times when seat assignments have been made by the ground crew and the aircraft crew have not been apprised of this and do not agree with the seating assignments.
- (e) Planes have been held up once everyone is aboard because of the quotas established for the number of disabled on board. Announcements have been made to those aboard that the disabled are the cause of the delay.
- (f) References have been made regarding the disabled person as "the wheelchair," not "the person"- i.e. "We have a wheelchair for pre-board."
- (g) Fixed armrests on the aisle side of the aircraft seats often make transferring difficult.
- (h) Training should be given on proper lifting techniques to protect the disabled person as well as the lifter.
- (i) It should be emphasized to the ground crew how important it is to have the wheelchairs arrive in good repair.
- (j) A container should be available that would enable the transport of batteries.

We feel strongly that it should not be a privilege for the disabled person to partake of air travel and therefore, feel the time is right for binding regulations. This, coupled with common sense and training of airline personnel, should assist the disabled in air travel.

Sincerely



James H. Killick
Executive Director

JHK:c

1038 Downing Street
WINNIPEG, Manitoba
R3G 2P8

APPENDIX CC

28 March 1984

Air Accessibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada
OTTAWA, Ontario
K1A 0N5

Attention: Mr. Ed Ratushny

Dear Sir:

Mrs. K. Lawson, Social Worker at Winnipeg Rehabilitation Hospital, has asked me to respond to your letter request for information on "Standards of Accessibility to Air Travel by Disabled Persons." The arthritis Self-Help Group, Winnipeg, of which I am a member, feel there are still some aspects of air travel for the disabled that could be improved upon. I will try to be as short and precise in these points as I can.

In larger cities, such as Montreal, Toronto and others, there seems to be an extra long walk between the aircraft and the terminal building. Some form of transport would certainly help in this area. At the Winnipeg Airport there seems to be a lack of ramping from terminal to aircraft, especially with the smaller airlines and charter flights (eg. Wardair and P.W.A.) and the elevators in the airport are limited to people in wheelchairs. Also at the Customs area you are not considered disabled unless you are in a wheelchair.

Where there are not ramps provided, the airlines should provide enough trained staff to transport wheelchair passengers to and from the aircraft. Also, as the aisles in an airplane are not wide enough for a wheelchair, transfer of these passengers to their seats is necessary.

One of the most common complaints is that there is not enough leg room between seats. If there are certain seats which have more leg room, maybe these could be used by the disabled. Adjustable seat heights, or cushions and moveable arm-rests would make transferring much easier. For safe, dignified boarding, pre-board arrangements should be able to be made beforehand. An identification card from travel agent or airline on doctor's consent would improve situations. If these things could be discussed and arranged when booking your flight, it would cause less disturbance and embarrassment.

The staff of the airline should be mature, responsible and understanding. A basic nursing assistant or orderly training course should be essential. If this is not possible, the airlines should run their own 2-3 week course in transporting, transferring and working with the disabled. If a person is unable to use a regular toilet, privacy should be provided in using a bed pan or bottle. Staff should understand that most persons, disabled or not, want and need to be as independent as possible. They should know, in most cases, when and when not to assist. They must be informed that just because someone is not in a wheelchair does not mean they are not handicapped. They should be trained to deal with all types of disabilities. This may alleviate a lot of the anxieties and problems of the disabled traveller.

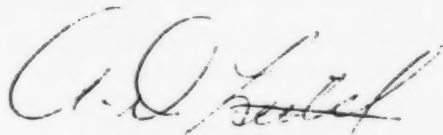
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Office of the Honourable Lloyd Axworthy
Page 2 continues

The regulations that are set down should apply to at least all commercial airlines. The return on the investment to the airlines in providing these accommodations would be more than repaid through increased use of the airlines by the disabled.

I hope that these ideas are worthwhile and helpful. If you would like more information, please contact me. Mrs. Lawson and I would appreciate a report on the recommendations that you set down.

Sincerely yours,

A handwritten signature in cursive script, appearing to read 'A. D. Leitch'.

A. D. Leitch
For: Patricia Savage

cc: Mrs. K. Lawson - Social Worker - Winnipeg Rehabilitation Hospital
Health Sciences Centre, Winnipeg, Manitoba.



The
University of
Lethbridge

4401 University Drive
Lethbridge, Alberta, Canada
T1K 3M4
403-329-2662

APPENDIX DD

COORDINATOR OF SPECIAL SERVICES
FOR HANDICAPPED STUDENTS

1983 03 12

Mr. Ed. Ratushny
Special Advisor
Air Accessibility Standards
Office of the Honorable Lloyd Axworthy
Transport Canada
Ottawa, Ontario
K1A 0N5

Dear Mr. Ratushny:

Congratulations on your appointment to draft standards of accessibility governing the level of services provided by air carriers to disabled passengers. I hope this will lead to the development of standards comprehensive enough to address the needs of all types of disabled persons, and flexible enough to accommodate the special needs of individuals.

I have discussed the problems faced by disabled persons when travelling by air with a number of individuals who have a variety of disabilities. The following comments indicate their concerns and opinions:

- lack of training of ramp crews re: methods of assisting mobility handicapped persons on/off aircraft
- dangerous methods of loading/unloading persons from aircraft where door level ramps and tunnels are not available i.e. mobility impaired passengers unloaded by Nordair at Quebec City via forklift. The forklift did not have any barrier whatever at the front to prevent a fall. Airline personnel had difficulty standing, let alone protecting, disabled passengers from a fall. Alternate methods i.e. "Stairaid" wheelchair carrier should be implemented.
- overly helpful airport staff who persist in assisting self-reliant disabled persons, even after being informed that assistance is not required, are embarrassing to the disabled traveller. Assistance, when required, is appreciated. Assistance, when not required, is resented.
- not enough flight information is available in an audible mode for visually impaired and blind passengers

1983 03 12

Page 2

- the disabled passenger should be considered competent to determine the need for an on-board attendant
- the disabled passenger should not be required to pay the full cost of an on-board attendant, if an attendant is required by the air carrier
- seating should be improved i.e. removable arms, longer seat belts
- on-board aisle wheelchairs should be provided to enable passengers to move to/from seat and to/from washroom
- wet-cell electric wheelchair batteries should be carried, if properly capped and secured in an adequate container
- a sign interpreter should be available, in some capacity, at each airport to communicate with deaf and learning impaired passengers
- personal assistance by carriers in terminals should go not further than ensuring that the passenger is prepared to continue once luggage is recovered from air carrier
- washrooms should be accessible on all aircraft
- all public notices should be made in the appropriate mode for sensory impaired persons
- "guidelines or recommended practices" relating to the determination of need for an attendant might be preferable to formal regulations for a time

I hope these comments will be of some assistance to you in preparing a draft of the accessibility standards.

Sincerely,

Dick Varga
COORDINATOR, SERVICES FOR HANDICAPPED STUDENTS

DV:pgd



Employment and
Immigration Canada

Emploi et
Immigration Canada

APPENDIX EE

Your file

Votre référence

Our file

Notre référence

April 2, 1984.

Ed Ratushny,
Special Advisor,
Office of the Minister,
Transport Canada,
Place de Ville,
Ottawa, Ontario.
K1A 0N5

Dear Mr. Ratushny:

Subject: Standards of Accessibility to Air Travel
by Disabled Persons

Mrs. Debby Tudin asked me to respond on her behalf to your request for our comments and suggestions on the drafting of a set of standards to govern air carriers in the level of services provided to disabled passengers.

The attached response is based on interviews with several of our travelling disabled employees and is not intended to be comprehensive. They have expressed their appreciation for this opportunity.

Please give us a call if you would like any clarification.

Yours sincerely,

Zenon Olynyk
Affirmative Action
Officer, Personnel.

STANDARDS OF ACCESSIBILITY TO AIR TRAVEL BY DISABLED PERSONS

Mobility Impaired - People who must use wheelchairs have many problems in boarding, de-boarding and in-flight utilization, which vary with the nature of their disability.

- A - The wheelchairs provided require improvements.
 - They should be designed for boarding and in-flight use.
 - They should be collapsible and narrow with moveable or removeable arms and adequate footrests.
 - They should be suitable for emergency use.
 - A Japanese model used recently at Malton by Air Canada has been mentioned favourably.
- B - Both disabled persons and airline staff have been endangered by make-do boarding methods (the way the person was moved or carried, with or without chair).
 - Safe, reliable boarding methods should be established for every type of carrier within every type of terminal facility.
 - Safe, reliable seat transfer must be established. This will vary according to person and disability.
- C - Some disabled persons are not capable of using washrooms because of their mobility problem, washroom design, or lack of wheelchair on-board.

Hearing Impaired - Some hard of hearing and deaf persons feel that no special measures have been taken to accommodate their disability. Basic considerations would include:

- Instructions for getting on or off flights
- Flight change information (on-board)
- Emergency instructions
- Close captioning in-flight films

Perhaps instructions or information could take the form of a moving one line computer controlled digital display such as used on billboards.

Visually Impaired - There are communication needs for partially sighted and blind persons as well.

- Flight information packages, washroom designations, the various washroom knobs and dispensers, and maps: these could be in braille, large letters, bright contrasting colours, and raised lettering
- The contents of listening tapes could be brailled
- Instructions are required for the use of oxygen masks
- Audio solutions could also be considered for the above-mentioned items.

Others - For people with lesser mobility problems, some spasticity (visible but not serious), or some sensory impairment, there are problems with staff attitudes and assumptions (see training suggestions below).

Your memorandum refers to a possible concern regarding cost factors...

"What is the estimated cost of making further accommodations..?"

The disabled persons we interviewed agreed that airlines should provide accessibility for disabled passengers to normalize, as much as possible, boarding, flying, washroom use, entertainment, emergencies, communications, eating and drinking; if the accommodations are technically feasible, and without extra charges for the disabled.

Regulations regarding accommodation and service should apply to all aircraft and flights; however, they may be tailored to the specific aircraft and boarding environment. Washroom accessibility is necessary for long flights.

Vehicle features should include accommodation for sensory impaired persons as mentioned above and washroom accessibility for wheelchair users whether or not an attendant is needed. Perhaps washroom walls which can expand into the corridor. There should be a facility for emptying external urinary drainage devices.

An average good wheelchair costs \$2000; it should be stored safely. The personal wheelchair should be available shortly after landing. The wet-cell wheelchair battery problem has apparently been solved.

Baggage handling within terminals does not seem to be a problem any longer for our travelling disabled employees.

All training regarding the special needs of disabled persons should be integrated into regular staff training programs, not presented as separate courses which may permit untrained staff to encounter disabled people on the job. Staff must be prepared to serve all of the public.

- Training also includes technical aspects of service such as boarding, seat transferring and escorting. But such services should be provided on a personal level, not only by type of disability.
- Training should also include the discussion of appropriate attitudes, behaviors, and sensitivity, the removal of condescending attitudes, and the readiness to ask questions in order to provide a more personal service (while escorting or assisting in a seat transfer, etc.)

Two mobility impaired disabled persons mentioned being thrown off balance, into seats in an undignified and unsafe manner by airline staff who probably thought they were providing a service.

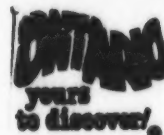
Individual needs vary. Making assumptions based on the nature of the handicap takes away from personal preference, and can be awkward and insulting. Questions can help airline staff to better assist disabled travellers in boarding, transferring from a wheelchair to a seat, eating, and generally feeling more comfortable. A blind person mentioned that an airline employee once insisted that his guide dog follow behind while being escorted. The airline employee was not able to provide a common sense explanation for his request and was obviously following "procedures". In this case, however, the dog was trained to go ahead even if the escorting was being done by a human. This same blind person also resents being forced to sit behind the bulkhead when he flies because in his opinion there is just as much or more room for his dog in a regular seat (without impinging on the space of other passengers). He can understand not being permitted to

sit by an emergency exit but not being subjected to mindless procedures just because he lost his eyesight.

"Guidelines" or "recommended practices" should be implemented as soon as possible, especially in waiting for structural design changes which may take 10-20 years.

Emergency evacuation procedures should consider the disabled on board equitably. One of our mobility impaired employees once asked a stewardess about evacuation procedures and was advised..."we'll come back for you as soon as we get everyone else off."

Finally, it was suggested that staff who deal with the public be performance assessed on their abilities to serve all of the public.



Ministry of
Tourism and
Recreation

Sports and Fitness Branch
8th floor, 77 Bloor St. W.
Toronto, Ontario M7A 2R9
Tel: (416) 965-3720

March 21, 1984

Mr. Ed Ratushny
Special Advisor
Air Accessibility Standards
Office of the Honourable
Lloyd Axworthy
Transport Canada
Ottawa, Ontario
K1A 0N5

Dear Mr. Ratushny:

I am writing with regard to your recent letter soliciting information on standards of accessibility to air travel by disabled persons.

The following comments/suggestions relate primarily to physically disabled athletes (cerebral palsy, blind, wheelchair and amputee) that the Sports and Fitness Branch of our Ministry deals with at the present time.

1. Armrests: We would recommend that armrests be of the flipback type because the removable ones could be pulled out accidentally by persons getting in and out of seats.
2. Washroom on Aircraft: At the present time, the only aircraft that has accessible washrooms is the 767. Perhaps consideration should be given to make these facilities accessible in other aircrafts.
3. Air Terminals: Even though there has been excellent strides made in making these buildings accessible, particularly the washrooms, there appears to be a lack of ramps both inside and outside of these buildings, (i.e., from road level to the sidewalk or entrance to a doorway).

March 21, 1984

4. "Attitude": It has been brought to my attention that certain personnel working for Air Canada will not pick up disabled persons, citing union rules as the reason. In addition, other personnel have refused because there was no support person with the individual concerned.

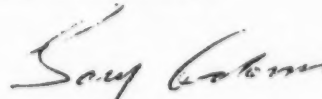
It must be stressed in a manner or at least a "guideline" should be developed when it comes to physically disabled athletes. The majority of these people are extremely independent and should not be confused with individuals who are elderly or need a great deal of assistance. These athletes are quite capable of dealing on their own with a minimum of assistance.

5. Problems of Airlines: We do appreciate the airlines concern regarding the physically disabled and the possibility of these people blocking other passengers in the cases where emergency exiting is required.

There is probably no easy solution to this concern. Perhaps a suggestion might be that the physically disabled to sit in certain areas of the aircraft.

If you require any further clarification on these comments, I would be pleased to answer any of your questions.

Yours sincerely,



GA:sv

Garry Adams
Assistant Co-ordinator
Games and
Community Initiatives

The Canadian Association
for Children and Adults
with Learning Disabilities



APPENDIX GG

L'Association canadienne
pour enfants et adultes ayant
des troubles d'apprentissage

Maison Kildare House, 323 Chapel, Suite 101, 102, Ottawa, Ontario K1N 7Z2 (613) 238-5721

March 14, 1984

Mr. Ed Ratushny
Special Advisor
Air Accessibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada
Ottawa, Ontario
K1A 0N5

Dear Mr. Ratushny:

We, as an Association, would like to thank you for the opportunity of providing information for your large but very worthwhile task.

A brief explanation of learning disability follows and then an outline of the problems learning disabled air travellers may face.

A learning disability is a deficit in information processing in persons with normal to above normal intelligence, although it can occur in conjunction with other primary disabilities. Similarly, learning disabilities are not caused by sensory impairments, other disabling conditions or cultural deprivations, though they can co-exist with such conditions. Learning disabilities are not manifested solely in the academic spheres but tend to be disabilities in many of the processes of living. Essentially learning disabled persons appear to be inefficient in processing, storage and production of information. They do not utilize effective strategies to master a task in their areas of deficit functioning. These inefficient strategies result in disorganization, inattention and memory deficits and problems expressing oneself verbally.

Learning disabled persons may have spatial and temporal disorganization which will give problems with shape and pattern recognition, i.e. finding their way around air terminals.

Learning disabled persons may have difficulty processing visual information which will give problems with airline timetables, and the TV monitors with flight information.

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Learning disabled persons may have difficulty processing auditory information which will give them problems receiving instructions in the presence of high background noise levels that often exist in air terminals.

Most learning disabled persons will not possess all the above disabling conditions at the same time but it can happen and hence the more deficits the greater the problem.

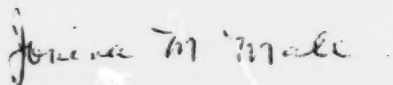
One problem learning disabled persons have when travelling is that outwardly they appear normal (we call it an invisible handicap) and their seemingly simplistic requests for assistance often prompt impolite comment.

Two major areas that proper accessibility standards could help the learning disabled traveller with is: Proper and consistent signage throughout the air transport system and the use of large print in publications and public information brochures; and sensitizing the staff to the needs of the learning disabled.

We as an Association have trainers who are available in every province and territory in Canada who would be glad to assist the airlines and Transport Canada in providing proper training for their staff.

We would like to wish you well in your task and if we can be of further help in your endeavors please feel free to contact us.

Yours sincerely,



Jonina M. Male
President

JMM/lg

A140

C.A.C.L.D.  A.C.E.T.A.

KAREN H. FREEL
President

60 bedford road, toronto, canada m5r 2k2 telephone: 964-9595

DENIS MORRICE
Executive Director



THE
CANADIAN
HEARING
SOCIETY
(Incorporated 1940)

April 2, 1984

Mr. Ed Ratushny
Special Advisor
Air Accessibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada
OTTAWA, Ontario K1A 0N5

Dear Mr. Ratushny,

RE: STANDARDS OF ACCESSIBILITY TO AIR TRAVEL BY DISABLED PERSONS

The Canadian Hearing Society provides services to deaf and hard of hearing people. We feel we have a good working knowledge of accessibility issues for our client constituency. The following are some of the concerns that should be addressed when developing standards of accessibility to air travel:

- 1) Airline personnel should become sensitive to the communication needs of deaf and hard of hearing people. Staff should be exposed to sign language classes so that they have some basic signs that can be used with a deaf traveller. They should be aware of the best way to communicate with a hard of hearing person such as facing the person directly, not exaggerating their lip movements, not shouting, etc..
- 2) Staff should receive an orientation about hearing impairment so that they are comfortable with the hearing impaired individual and not fearful of attempting to communicate. The orientation will also teach them about the impact and implications of a hearing loss.

An example of the need for orientation about hearing impairment is as follows: A mother takes her deaf teenage daughter to the airport. She goes up to the flight attendant and informs her that the young woman is deaf and requires some special attention. The mother is reassured that the attendant will take care to alert the daughter of any changes or delays and will have the daughter pre-board the aircraft. The mother and daughter sit down to wait. After a while, the mother hears the daughter's name announced over the loudspeaker, asking her to come forward for pre-boarding. Obviously, the girl could not hear the announcement. The airline personnel did not make

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Mr. Ed Ratushny

April 2, 1984

the connection that because she was deaf, she would not hear the announcement.

- 3) Attempts should be made to use a combination of communication such as gestures, writing, lipreading, etc.. The airline personnel need to be uninhibited and flexible in their approach.
- 4) One of the most significant problems has to do with the fact that communication is usually done over a public announcement system which is not clearly audible to a hard of hearing person and obviously not audible at all to a deaf person.

An example of the problem is the deaf individual sitting in the waiting area, reading a book. An announcement is made that the gate for boarding the aircraft has been changed. Individuals move to the new location but the deaf person remains seated and unaware. He misses his flight.

Another example is the hard of hearing person who hears that flight 232 is boarding and cannot clearly distinguish the flight number. He sees people moving towards the gate and follows the crowd. Without careful scrutiny, he is let through, boards the wrong plane and ends up in Chicago instead of Ottawa.

A solution would be a visual display board that would print out announcements in the waiting area. This should be large and in easily identifiable and observable areas.

A similar printout should be available on the aircraft to make any announcements such as a change in landing location.

- 5) Amplification devices such as FM and infra-red, can be used to assist in communication between airflight personnel and hard of hearing travellers.
- 6) Amplification devices such as personalized FM systems or infra-red systems should be available on aircrafts so that hard of hearing people can watch films and hear the soundtrack. Thought should be given to showing captioned films so that deaf people can take advantage.
- 7) A hearing impaired person who identifies himself/herself should be given an aisle seat to allow for easier communication.
- 8) Airline personnel should be aware of some of the health requirements for a deaf or hard of hearing person.

For example, it is usually a good precaution to remove hearing aids during take-off and landing. This might be communicated to a hard of hearing person at check-in time.

It is also dangerous for a person with a head cold to fly. There was an incident where a woman who had a hearing loss in one ear caused severe damage in her other ear because she flew when she had a bad head cold.

Mr. Ed Ratushny

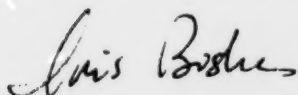
April 2, 1984

- 9) Another obvious problem is making contact with the air carrier for reservations or information. Teletype machines provide access for deaf people to use the telephone.
- 10) Accessible telephones should be available in the waiting areas. Most airports have these phones available now but there is some controversy over the fact of whether these phones will remain in use. Volume control phones and hearing accessible phones are essential to providing full access to hard of hearing travellers.
- 11) Airline personnel should be aware of a person who is deaf or hard of hearing. In case of an emergency one person should be responsible for communicating personally to the hearing impaired individual in helping him/her understand emergency instructions. The same kind of personal contact would be necessary when any announcement was made.
- 12) Flashing alert devices should be available in waiting areas and on aircraft to alert deaf and hard of hearing people to emergency situations.

These are some of the significant issues that affect deaf and hard of hearing people. If you require additional information or examples feel free to contact me.

We would appreciate being involved in reviewing the draft standards. I look forward to hearing from you in the future.

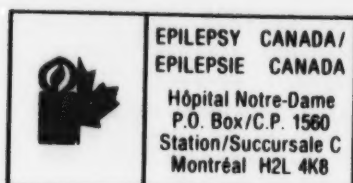
Sincerely,



Iris Boshes
Coordinator
Rehabilitation & Social Services

IB/iz

cc: Janice Tait
Judy Rebick



March 6, 1984

Air Accessibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada,
Ottawa, Ontario
K1A 0N5

Dear Mr. Minister:

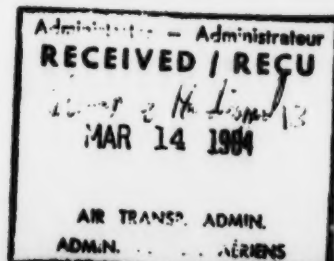
RE: Standards of Accessibility to Air Travel By
Disabled Persons

Today, there are more than 240,000 Canadians with epilepsy.

By virtue of the very nature of epilepsy, the latter entails a host of not only medical, but psychosocial consequences as well. Generally associated with epilepsy are educational, transportation, legal, employment, psychosocial and familial difficulties.

Epilepsy Canada is the only National, charitable, non-profit, voluntary organization in Canada that is specifically dedicated to the addressal of these issues in an attempt to promote the welfare of persons with epilepsy and their families, and their equal participation in Canadian life. Above all, Epilepsy Canada is committed to helping people with epilepsy achieve self-sufficiency and independence, and equality in the social, educational, vocational, legal, transport, insurance, medical and employment fields. By doing so, persons with epilepsy will be given an equal chance to lead fulfilling and productive lives in the mainstream of Canadian Society.

Recent statistics disclose that more than 12,000 new cases of epilepsy are diagnosed each year. Further, many persons with epilepsy must travel large geographical distances to obtain medical treatment. It is not uncommon for persons in Calgary to follow treatment at the Montreal Neurological Institute, and for persons in Halifax to be seen by a neurologist at the University Hospital in London, Ontario.



A144

Due to the vastness of our country, it is imperative for Canadians with epilepsy to have access from one region of the country to another by air at the lowest possible cost. Or, as you yourself recently stated: "Domestic air fare policy touches the lives of all Canadians. I have long been of the view that it is extremely important to our nation as a whole and to individual citizens that they have access from one region of the country to another by air at the lowest possible cost".

We, Epilepsy Canada, formally recommend to Transport Canada that:

1. Persons with epilepsy who, for reasons of medical treatment, must travel large distances, obtain a reduced rate on all major airlines;
2. Escorts accompanying persons with epilepsy travel free of charge. Persons with epilepsy very often are unable to travel alone. They must be accompanied by an escort who, as the policy now stands, must pay full fare. This seems somewhat unjust. As a side note, Via Rail currently offers a free escort service for travelers accompanying persons with epilepsy to their medical treatments;
3. A parent accompanying a child with epilepsy to medical treatments travel free of charge. Seventy-five percent of all cases of epilepsy develop before the age of 18. As is very often the case, these children must follow treatment in a different city. This places a tremendous financial burden on parents;
4. Education continue to airline personnel on the causes, treatment and consequences of epilepsy. It is necessary for airline personnel to be aware of epilepsy and the first-aid techniques used in the management of seizures. Continuing education in this area is essential.

Yours truly,

Jennifer Brunet
National Co-ordinator



BLOORVIEW CHILDRENS HOSPITAL 25 Buchan Court, Willowdale, Ont. M2J 4S9 (416) 494-2222

10 April 1984

Mr. Ed Ratushny
Air Accessibility Standards
Office of the Hon. Lloyd Axworthy
Transport Canada
OTTAWA, Ontario
K1A 0N5

Dear Mr. Ratushny:

Regarding your project on Standards of Accessibility to Air Travel by disabled persons, I would like to make the following comments.

At Bloorview Childrens Hospital there are approximately six residents who travel by air to and from their family homes in Ontario, on an average of two to three times annually. They have learned to cope with their physical handicap and in many ways, are self-reliant in what they can communicate and in feeding themselves. They are particularly screened for air travel by our medical staff. They have been accepted for travel by Air Canada for some time now, without an attendant, on the basis that:

1. they are mainly self reliant;
2. the distances for travel are short;
3. their toileting has been looked after before the flight;
4. the time of the flight during the day is on the off-peak periods.

They should require no more time and attention from the cabin crew than other passengers.

Usually the chief concern of the cabin and flight crew is one of safety in emergency situations. I believe education of the cabin crew might help make them more receptive to the wheelchair traveller. Frequently the difficulties seem to stem around anxiety about how to accommodate them on an aircraft. In this regard I would suggest that arrangements be made for the large carriers, such as Air Canada and Canadian Pacific to include the following subjects:

1. A basic introduction to disability - what disability means.
2. The basic human rights of disabled people - emphasising respect and dignity.
3. Communication, self-reliance and self-determination of the disabled - emphasis on not being afraid to communicate with a disabled person.

Caring for handicapped children since 1899.

/...

Mr. Ed Ratushny
Air Accessibility Standards
10 April 1984

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4. Basic lifting techniques, e.g. bend your knees, not your back.

An organization such as C.O.T.A. (Community Occupational Therapy Associates) could be contracted to provide this type of training.

With respect to the physical aspects of the disabled travelling in aircraft I would suggest the following:

1. Washrooms be made accessible, with the inclusion of grab bars on the walls, and the larger floor space for people with walkers and canes to manoeuvre.
2. Moveable armrests be included, at least in some of the seats on the aircraft, for the disabled.
3. People with disabilities be located closer to the emergency exits. Presently they are usually seated furthest from the emergency exits.

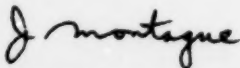
With regard to the question of wet cell batteries, we understand the safety hazard in storing them in the baggage compartment. There are two solutions to this:

A container which is acid resistant and rubber lined be included in the luggage compartment, and secondly there is a type of gell battery which is an alternative to the wet cell battery. Although this is more expensive it may be an alternative for disabled people who require an electric wheelchair to be transported long distances, such as between continents.

I believe that education of the cabin and flight crew might help them to be more receptive to the wheelchair traveller. Obviously these people travel more and more, and we must be more accommodating to include them in our society.

If I can be of any further assistance, please do not hesitate to contact me.

Yours truly,



John Montague, M.S.W.
Manager of Social Work

jm:bm

Calgary Association for the Mentally Handicapped (CAMH)

303, 1147 - 17th Avenue S.W., Calgary, Alberta T2T 0B7

Phone: 244-9335

22 March, 1984.

Mr. Ed Ratushny, Special Advisor,
Air Accessibility Standards,
Office of the Honourable Lloyd Axworthy,
Transport Canada,
Ottawa, Ontario, K1A 0N5.

Dear Mr. Ratushny:

Policy on Transportation for Disabled Persons

The following comments are in response to your policy statement and your request for comments on Standards of Accessibility to Air Travel by Disabled Persons:

6.1 After making this statement the policy clarifies and eliminates many or the definition of disabled is very narrow and only affects individuals who are mildly handicapped.

6.4 Disabled travellers who are self-reliant probably do not need any special consideration at all.

6.5 To compare assistance in breathing with eating or using washroom facilities is hardly a parallel.

Re: "extraordinary care" like eating, using bathroom facilities eliminates many unless accompanied by an attendant.

P. 14 Undue cost - will let any/all out of responsibility of making any change.

- Accessibility to board and deboard planes is not going to facilitate travel if assistance is not available

- Accessibility onto trains and buses, however, is impossible at this time even with an attendant unless they can carry the disabled individual.

- Flight attendants could easily be trained to transfer, empty a legbag and assist with feeding. At this time they can be found spending a lot of time making "normal" people feel comfortable, placating drunks, helping with babies' needs. They will transport young children unattended and often do an excellent job. If they

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Mr. Ed Ratushny

22 March, 1984

seriously looked into the needs of disabled travellers and became comfortable with them they might discover that assisting them would not really take that much time.

- It appears that the policy is going to make it easier for individuals who have a mild disability or an attendant with them to travel. Many of these are travelling at this time. It may not make travel possible for those who are not able to travel at this time.

In conclusion, I hope these remarks assist you in your development of appropriate standards.

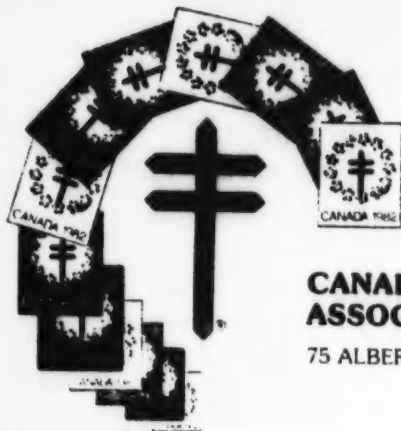
Sincerely,



Jonas J. Fornwald,
Executive Director.

JJF:s1

Copy to Ella Berrington



**CANADIAN LUNG ASSOCIATION
ASSOCIATION PULMONAIRE DU CANADA**

75 ALBERT, SUITE 908, OTTAWA, ONTARIO, CANADA K1P 5E7 (613) 237-1208

July 20, 1984

Mr. Ed Ratushny
Special Advisor
Minister of Transport
Place de Ville, Ottawa
K1A 0N5

Dear Mr. Ratushny:

RE: Air Accessibility Standards
Draft #2 - J. Tait - Feb. 15, 1984

The Standards Committee of the Canadian Thoracic Society (CTS) considered the above item at its meeting on June 10, 1984.

It is their recommendation that an additional sentence be appended to proposal standard, item g on page 12 stating that "the flow rate of oxygen should be determined by the patient's physician in accord with guidelines provided in the CTS Statement on Air Travel." This CTS Statement on Air Travel is presently being revised.

I trust this recommendation will be incorporated in the Legislation/regulations.

Yours sincerely,

A. Les McDonald
Health Education Coordinator

ALMcD/ml
c.c. Dr. M. Lertzman

AL50

Lungs are for Life
Vos Poumons. Source de Vie

Give to Christmas Seals
Soutenez les Timbres de Noël

WHEELS INCORPORATED

APPENDIX MM

13 Linden Avenue
Charlottetown, P.E.I.
C1A 5Y5
March 13, 1984

Air Accessibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada
Ottawa, Ontario, K1A 0N5

ATTENTION: ED RATUSHNY, SPECIAL ADVISOR

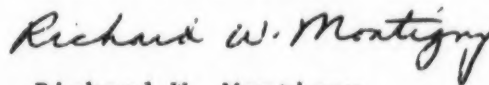
Dear Sir:

RE: ACCESSIBILITY TO AIR TRAVEL
BY DISABLED PERSONS

We offer the following comments and suggestions in response to your recent correspondence. A lot of the comments are from personal experiences and should be easily implemented.

Should you have further questions on these please feel free to contact me.

Yours very truly,



Richard W. Montigny
Chairman

RWM:bg

Enclosure

A151

(1) Allow for pre-boarding information to be given at time of checking in.

Too often I have waited in a departure lounge for a pre-board announcement only to see the flight attendant come in, look around and leave feeling no one requires pre-boarding. If this information is given at the time passengers check in then the flight attendant will be aware of numbers of pre-boarders and type of assistance required. It should be little or no extra work for counter staff.

(2) In cooperation with the forgoing I feel there should be a certain part of the departure lounge designated for pre-boarders to gather. If persons who request pre-boarding privileges are told where to sit it will be much easier for the flight attendant. It will not be necessary for these passengers to get by other standing passengers and possibly fall. I find people get over anxious at pre-board announcements and stand in aisles thus blocking the way for others.

(3) For small airports, such as we have in Charlottetown, there should be a more standard means of placing persons who are confined to a wheelchair, or who cannot climb steps aboard an aircraft. They should not have to be placed on straight back chairs with no arms and lifted up the steps of the plane backwards. Besides being unsafe it is very demeaning to the person on the chair. A mechanical lift with sides could be used with flight attendants present. This would be much safer and a little more dignified for the passenger.

(4) When a passenger, with limited mobility, is brought inside the cabin of the aircraft he or she then has difficulty to reach his seat. If they have been brought up in a chair with no wheels it cannot go down the aisle of the aircraft. Perhaps the passenger has been fortunate enough to be brought on board in a wheelchair but finds the chair is too wide to go down the aisle.

There should be a chair available which has wheels and can be taken down the aisle of an aircraft. In my personal experiences I have been carried down the aisle or assisted by two flight attendants in a side on position because the aisle is not wide enough for two persons let alone three.

(5) Persons with a disability or who requires assistance should be assigned an aisle seat as close to the washrooms as possible. Every time I have flown I must make it a point to specifically request an aisle seat. I have yet to see an occasion where they have not had to make a change in my seat designation, should I request an aisle location after the attendant has assigned me my seat. Inevitably they want to place me in by the window.

Besides being hard to get into and out of it is much harder to request assistance of attendants during the flight from these seats. They simply cannot reach you to help you with food or drink or other matters.

(6) There should be a number of seats on each aircraft with removable arms to make it easier for a disabled person to transfer in and out of these seats, often from another seat. It is easier for a person with mobility problems to sit on the seat from a side position and swing around to a front position than attempt to back into a seat blindly.

(7) A disabled person should be requested to indicate his requirements for travelling when making reservations and/or picking up the ticket. These requirements should then become part of the ticket and it will not be necessary to make requests each time one checks in at a ticket counter. Recently I went to Florida by air. I purchased my ticket through a local travel agent. At the time of making my reservation I requested pre-boarding at all places, a wheelchair in each place, and assistance with meals on flight. I had to go to Halifax, Montreal, Boston, and West Palm Beach. The travel agent assured me all my requests were made and confirmed yet my ticket showed it to be no different from one who had not made these requests.

When I arrived at the airport in Charlottetown on the day of my flight I again made my requests. No one knew anything about them but they reassured me it would be looked after. We got to Halifax and the flight attendant asked the ground crew about the wheelchair and they knew nothing about it. The same experience in Montreal and Boston. I changed in Montreal to Delta Airlines. On my return I took Delta at West Palm Beach. I again made my requests on checking in and they provided me with a copy of a three-part form which showed my name, connecting flight no's, destination, seat number, and outlined my requests. I simply gave it to the flight attendant on board who in turn gave it to the attendant who met me in Boston and this person passed it on. Each new set of attendants I encountered on my return flight knew of my needs. Why cannot this be done by Canadian airlines. The information is telexed ahead, and a copy goes with the ticket. It is much more convenient for all.

(8) Some seats on airplanes should be moveable that will allow for more leg or maneuverability room for passengers getting in and out of seats. Many disabled persons have problems with legs and if seats could be moved forward or backward easily then people would be able to get in and out of seats with more ease.

The preceding comments come as a result of personal experiences. I don't feel there would be great costs to implement any of the forgoing.

RHYS L. EYTON
President & Chief Executive Officer



June 25, 1984 (mailed July 10/84)

The Honourable Lloyd Axworthy,
Minister of Transport,
Transport Canada,
Place de Ville,
Ottawa, Ont.
K1A 0N5

Dear Mr. Axworthy,

Thank you for your letter attaching a copy of the Federal Policy on Transportation of Disabled Persons. I have had the opportunity to consider the recommendations and wish to make some comments thereon. In addition, I understand that the Air Transport Association of Canada has been assisting Dr. Ed Ratushny in developing air accessibility standards within a framework that responds to your programme while at the same time recognizing the nature of the commitments being asked of the aviation industry.

Pacific Western has put into place the following programmes to improve the mobility of the disabled:

1. Different types of wheelchairs have been made available at airports for the convenience of the disabled.
2. At the request of the Air Transport Committee of the Canadian Transport Commission, articulated acceptance procedures for the disabled appear in our tariff.
3. At the request of the disabled, limitation on replacement of damaged baggage was waived.
4. Boeing 737 seats have been retrofitted with removable armrests to meet the needs of the disabled.
5. The Boeing 767 seats and access to lavatories have been designed to meet the needs of the disabled.

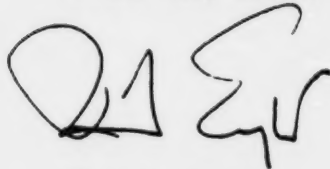
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A155

6. Pacific Western has recently filed for a reduced fare applicable to attendants who accompany the disabled.
7. A special alert system has been developed in our passenger processing system to respond to the needs of the disabled passengers from the time a reservation is made to the time the disabled passenger departs from our system.
8. Pacific Western's ground and in-flight staff have been given special training with the objective of making the journey with Pacific Western a pleasant experience for the disabled.

I trust the foregoing is responsive to the Federal Government's programme and I wish to assure you of our continued co-operation in working towards the goal of reasonable and equitable access for disabled persons.

Yours very truly,

A handwritten signature in dark ink, appearing to read 'Rhys T. Eyton', with a large, stylized initial 'R'.

Rhys T. Eyton

RTE:mw



APPENDIX OO

Suite 110,
10235-124 St.
Edmonton, Alberta
T5N 1P9

488-0151

March 28, 1984

Ed Ratushny
Air Accessibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada
Ottawa, Ontario
K1A 0N5

Dear Mr. Ratushny:

Paralympic Sports Association and Alberta Section-Canadian Wheelchair Sports Association are both active organizations providing sport opportunities for physically disabled individuals in Alberta. With competitions across Canada, the United States and occasionally international competitions, we are regular users of the Air Transport System.

On behalf of the above mentioned groups I would like to present our suggestions to Transport Canada on Air Accessibility Standards. A number of trips taken by our groups have resulted in situations which were unacceptable to us and to the carriers. In my report I will refer to a number of recent trips as you have asked for specific examples. In general we find that Transport Canada and the airlines have done a good job of making opportunities available for disabled passengers. It is the daily operations and attitudes of airline staff which have caused the greatest problems in recent years.

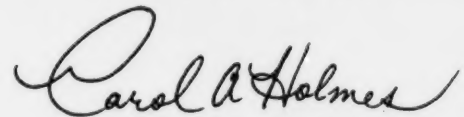
All our experiences involve travel by athletic teams and therefore reflect needs of a group, not individual

...../2

travel. Thank you for providing us with this opportunity to comment. All too often we forget to obtain comments from the consumer who is most affected by our policies. We appreciate this communication.

Sincerely,

PARALYMPIC SPORTS ASSOCIATION

A handwritten signature in cursive script that reads "Carol A. Holmes".

Carol A. Holmes
Executive Director

CAH/lm
Encl.

STANDARDS OF ACCESSIBILITY TO AIR TRAVEL BY DISABLED

PERSONS

Based on the many flights taken by the physically disabled athletes of our Association, I feel that the greatest problems with air travel stem from communication or the lack thereof. This managerial problem is hindering the technical advances that have been made to provide equitable services for disabled passengers. Physical access is in general acceptable but the communication problems and negative attitudes which stem from this add to inequality rather than equality. In addition to rectifying the communication issue, there are secondary problems dealing with logistics and policies which we would like to make note of.

As a major problem, communication involves all levels of interaction within the air travel service. Problems arise at the levels of user (passenger) service provider (carrier) and policy maker (Ministry of Transport). Staff-Passenger, Staff-Staff, and Staff-M.O.T. relationships all require attention. We have been appalled by the poor communication at all levels. We understand that there are vast numbers of people involved, but there are solutions. We would like firstly to state some of the problems based on two specific trips taken by our athletes within the past year.

The first trip we would like to site as an example of problems caused by communication was taken July 10th, 1983, to depart from Vancouver destined for Edmonton. We had a team of nineteen individuals, five able-bodied attendants, five carry on's, and the other nine were what we would call walking wounded. Our travel agent is very good at communicating policies to us, and aware that we were governed by certain M.O.T. policies did everything we could to assist carriers and make a smooth trip for our athletes. We had received pre-clearance approval from Ron Clark-Flying Operations and told TT approval was not necessary. We arrived at the Vancouver airport two hours prior to departure as we normally do. We were given boarding passes assigning us a block of seats in the rear of the plane. Pre-boarding was done on our own which we like to do as we know what we are doing and it normally takes us no longer than six or seven minutes to board a team of this size. I must note that the pilot did see us boarding and the airline attendants could see how many people we carried on. When the plane was completely full and ready to take off, an announcement was made that there would be a slight delay due to boarding and ground arrangements. After forty minutes and a number of announcements we were still sitting at the Vancouver airport. Being one of the spokes people for the group I asked the head flight attendant if the delay had anything to do with our team, and if so, I would provide her with information about the number of walkers, etc. She informed me that the problem had nothing to do with us, and I should just sit down and be patient. One and a half hours later they finally told us that yes, the problem was us! First of all they thought we had too many disabled passengers in total because we had checked eighteen wheelchairs. This is because many athletes have two wheelchairs, and some walkers have a chair for long distances. So, after resolving that, we waited longer while they put telexes through to Ottawa or Toronto, and then after two hours (total time)

decided we were not sitting in the correct part of the plane and were not in the proper seating arrangement. So, they unloaded half of the plane and started moving our athletes around as if they were baggage or pawns in a chess game. To cut everything short, 2 hours and 30 minutes after proposed departure time we took off for Edmonton; a whole plane of passengers not knowing why they were delayed and most of them upset with disabled passengers. After safely in the air I asked the head flight attendant if she would explain to the passengers what had happened and she informed me that "no, that would make the airline look bad." We as disabled athletic teams are already battling negative attitudes and misinformed public. As regular air transport users, we deserve more respect than was displayed through this entire "episode".

Our most recent trip involving communication problems was to Windsor, Ontario February 17, 1984. We booked our flights three months ahead and were told everything was settled. In later January we were told that we'd have to make other flight arrangements as there were too many carry on passengers on our flight. As we understand, a wheelchair team booked before us at the group bookings desk but the employee did not have the team marked down as disabled passengers. So, we were left with no seats into Windsor unless our team flew on three different flights through two different cities! And that's the reward we get for booking three months early! Its too bad that we decided to fly on an American airline instead, as we'd like to support our Canadian economy, but with no restricting policies and helpful staff, we chose to fly on an American airline to Detroit and then drive to Windsor.

Having sited these two recent experiences, we would like to identify specific communication problems and hopefully some suggested solutions. We are aware that managerial problems are the responsibility of the carrier, but when they are counterproductive to the underlying principles of the Transport Canada: Policy on Transportation of Disabled Persons, we feel something must be said. We have not been treated with the same dignity, consistency and respect as other passengers and find the service quite degrading. We are not supposed to be subject to any unreasonable terms and conditions but continually are! All of our athletes are self reliant except those that must be carried on, and we have attendants for those athletes. Once on the plane noone requires any specific attention, yet how have we been treated? Why are there problems in providing disabled travellers with equitable air transport opportunities? Communications.

Specific Communication problems encountered are varied.

1. Staff do not communicate effectively with each other. This was exemplified in both the Vancouver and Windsor trips (Pilot-Ground staff, flight operations-pilot, and pilot-flight attendants)
2. Staff are uninformed or misinformed of M.O.T. Policies Ground staff did not give us boarding passes for the section of plane designated by policy for disabled passengers; Pilot did not know policies but felt we were a threat? Flight attendants had all different stories!

3. Staff do not communicate honestly and openly with the Disabled Passengers.

In Vancouver noone asked us anything about team size, number of carry-on's or our needs. They actually lied to us and said it was not our problem (then who's was it?)

Solutions are not always easy, but if each party involved makes a concerted effort to be informed and communicate with others, the procedure would be more efficient and reasonable. We feel we have made an effort to know policies, be at airports early, and classify our passengers when we book flights. We feel alot of the responsibility lies with the carriers. Some solutions we suggest are described below.

1. Staff Training-initial training sessions on disability groups, M.O.T. Policies and communication techniques.
-updates on change in policies and short one page summaries.
2. Organized/Systematic Approach-with the technology available why don't the carriers document policies on computers and access the information when disabled passengers are boarding. With locator numbers on all tickets, something should be done to automatically retrieve policies when locator number is brought up on computer. This would mean proper seating and information from the moment a disabled person arrives to check in.
3. Ask the Disabled Passenger-he/she can be a big help!
4. Consistency-find a plan that can be communicated to all Pilots. If they have the final say, they must be informed.

These are just a few suggestions. Obviously a managerial problem is better dealt with by people who operate the company. I'm sure that there are means of improving internal communications and teaching policies and procedures to staff concerning equitable travel for disabled passengers.

Secondary barriers we have noted are logistics and policies. Most technical barriers have been alleviated, but there are still details which would make planing and deplaning and washroom use much easier and safer for passengers and staff.

1. Wider doorways and aisles
2. Removable Arm Rests
3. An Accessible Washroom
4. Make available one wheelchair or one Washington chair on flights of more than 2 hours for movement to and from washrooms.
5. Passengers should be allowed to keep their crutches as long as they are not in the way of others. Dignity is lowered if they must ask for them each time they need to get up or go to the washroom.
6. Pre-boarding is requested and with teams should be allowed to board on their own. They know team needs, etc.

7. Do not put wheelchairs on conveyor belts.
8. Have chairs available when deplaning so individuals are mobile. These chairs should have push rims so individuals can move about independently or preferably they should be given their own chairs.
9. There should be no extra charge for a wheelchair as a piece of luggage.

These are a few of our suggestions for improving the efficiency and dignity of planing and deplaning.

Policies are the last barrier which we will mention. Often policies are made for the safety and good of the passenger, but generalized policies that may assist one group or individual may hinder the opportunities of another, whether it is just the communication of policies or the policies themselves, we run into great inconsistencies. Specifically, the place on an aircraft where disabled passengers should be seated. Perhaps it varies from one carrier to the other but we've been told the front is a must, the back is better and now the middle of the plane.

Conclusions

We realize that it is difficult to set policies concerning disabled transport because each case is unique. The general principles set out by Transport Canada are equitable if they are adhered to. If however they are not communicated to and practised by the service delivery level then the principles are useless. Poor communication brings about inconsistent treatment and negative attitudes. Situations like this discourage disabled from travelling. Airlines that learn to actualize these principles will gain the respect and accounts of disabled passengers. Communication can make the difference between equitable service and unacceptable experiences. A polite inquiry and cooperation will make a world of difference.



Laurence Decore
Mayor

City Hall
1 Sir Winston Churchill Square
Edmonton, Alberta
T5J 2R7

1984 05 09

Our Reference: 5160

The Honourable Lloyd Axworthy
Minister
Transport Canada
Place de Ville
Ottawa, Ontario
K1A 0N5

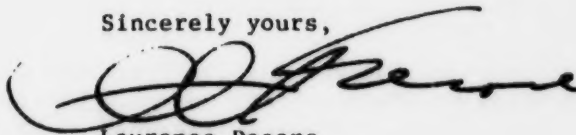
Dear Mr. Minister:

Thank you for the copy of the report, "Policy on Transportation of Disabled Persons". The City of Edmonton applauds Federal initiatives to improve inter-city transportation for the disabled. These improvements will be of benefit to both citizens of and visitors to the City of Edmonton.

An area of inter-city air and rail transportation that still needs attention is in the pre-arrival arrangement of intra-urban transportation. This is especially critical in cities such as Edmonton where wheelchair equipped van service is in limited supply and requires pre-booking to ensure a high level of service for visitors. Actual inter-city carriers such as VIA Rail and/or Air Canada could be encouraged by the Federal Government to provide such an advance booking arrangement in much the same manner as a travel agent. City of Edmonton Transportation Department staff are currently in review of the Edmonton International Airport with local Transport Canada staff.

Again, I would like to thank you on behalf of the citizens of Edmonton for such beneficial initiatives and if you have questions regarding my concern with the intra-urban connection please contact Doug Langille of the City of Edmonton Transportation Department at (403) 428-5108.

Sincerely yours,



Laurence Decore
Mayor



Multiple Sclerosis Society of Canada
National Office



Société canadienne de la sclérose en plaques
Bureau national

Suite 700, 130 Bloor St. W., Toronto, Ontario M5S 1N5

(416) 922-6065

April 13, 1984

Dr. Ed Ratushny
Special Advisor
Air Accessibility Standards
Office of the Honourable Lloyd Axworthy
Transport Canada
Ottawa, Ontario
K1A 0N5

Dear Dr. Ratushny:

The following comments and suggestions regarding the Standards of Accessibility for Aircraft provided to disabled passengers are related to the needs of persons with multiple sclerosis.

Multiple sclerosis is "the mysteriouscrippler of young adults", all too often confused with muscular dystrophy, which is usually a disease of children. Multiple sclerosis or MS attacks young men and women who are just beginning careers or families. It is usually first diagnosed between the ages of 20 and 40. An estimated 35,000 Canadians have MS and an estimated 200,000 family members are affected by its heavy economic and social burden.

The disease attacks the myelin (or protective) sheath of the central nervous system, destroying it in patches, which are replaced by scar tissue that interrupts and distorts the flow of nerve impulses. Resultant symptoms, which may not be present in all cases -- depending on the area and amount of damage to the nervous system -- include:

Paralysis	Loss of balance
Numbness	Extreme weakness
Double vision	"Pins and needles" sensation
Foot dragging	Loss of coordination
Bladder or bowel problems	Hand tremors
Speech and hearing difficulties	

- Spontaneous remissions (during which the person improves or there is no further progress or symptoms) are common. Remissions may last for months or years. MS, however, is often progressive, advancing through a series of unpredictable attacks, each usually causing further disability. As yet, its cause is unknown; there is no specific treatment and nothing is known about prevention. Some symptoms can be alleviated by good medical management.

A164

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Research

Much of today's research into the cause of MS is based on the idea that the disease process is most likely the result of a slow-acting virus or an auto-immune response, or both. There is good evidence to indicate that environmental factors play a causative role, but that genetic factors may also determine a predisposition to MS.

Several other chronic degenerative diseases of the central nervous system, such as kuru in humans and scrapie and visna in sheep, have been shown to be caused by slow-acting viruses that remain dormant for months or years after the initial infection and then "flare-up" producing a chronic disease. Viruses currently being considered in connection with MS are those in the paramyxovirus group, which includes measles, mumps, chicken pox and para-influenza.

Epidemiologic research suggests that MS may result from contact with something in the environment during childhood or adolescence. The following evidence points to this suggestion:

- The frequency of MS increases with increasing latitude both north and south of the equator.
- Persons migrating from high-risk to low-risk areas for MS after the age of 15 retain the high risk of their native land, whereas those who migrate before age 15 acquire the low-risk of the country to which they have migrated.
- Some patients with MS have an increased amount of virus-specific antibodies in their blood serum and cerebrospinal fluid.

These are some of the findings that have resulted from recent MS research. Current evidence favours the view that immunological alterations and a virus or viruses play a key role in the cause of MS. Despite exciting new leads in these areas, other etiological possibilities for MS remain, and new approaches are encouraged.

Organization

The Multiple Sclerosis Society of Canada is the only national voluntary agency in Canada conducting programs in research to find the cause, prevention and cure for multiple sclerosis. The Society has seven divisions with more than 90 chapters across the country. It is involved in supporting MS research, providing services for those who have the disease and supplying professional and public education programs.

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The following comments on the accessibility needs of persons with multiple sclerosis are made in the context of the paper "Preliminary Analysis Regarding Accessibility Standards for Aircraft" by J. Tait, February 15, 1984.

4.3 Access to Facilities

- a) Access to seats with movable armrests, a narrow wheelchair, and an accessible washroom are important to many persons with multiple sclerosis. Movable armrests would greatly facilitate the transferring from wheelchair to seat and back to the wheelchair.

The availability of safe, narrow wheelchairs for moving to/from the washroom is an important consideration. Often persons with multiple sclerosis have bladder and bowel problems which necessitate frequent trips to the washroom. The movable armrests, narrow wheelchairs, and accessible washrooms need to be available to them.

In addition, seat selection is an important consideration. Availability of seats with movable armrests beside or close to washrooms would be very helpful. There would be less likelihood of interruptions of bar or meal service if the seating was so allocated.

Fatigue is often a major symptom of multiple sclerosis. Although not visible to others, it necessitates careful energy management by persons with multiple sclerosis. Readily accessible seats, wheelchairs and washrooms assists in this energy management.

Suggestions have been received from persons with multiple sclerosis who are frequent aircraft travellers. The following specific suggestions have been made:

1. Grab bars placed inside washroom, one above the cabinet and the other on the bulkhead, would allow for greater ease of movement.
2. Wash basin taps made with wing levers to aid those persons with little strength or/and spasms in their hands would be of help.
3. Persons with multiple sclerosis can often have problems with spasticity and leg spasms. Accessible seats at the bulkhead or near emergency exits which have extra leg room would be helpful.

4.3 & 4.5 a)

- b) Loading bridges to assist passengers to access the aircraft are important. It has been suggested disabled persons requiring mechanical lifting devices will be required to give 24-hour notice.

A number of travel agents were contacted in order to clarify the situation regarding loading bridges and mechanical lifting devices. They were not knowledgeable about the availability of lifting devices and stated their responsibility was to notify the airline at the time reservations were made of the person's need for a wheelchair and assistance.

This issue requires clarification for the disabled passenger and travel agent. Once notification is given by the disabled passenger to the travel agent of the need for wheelchair assistance it would appear to be the airline's responsibility to ensure a mechanical lifting device be available if loading bridges are not.

Persons with multiple sclerosis using wheelchairs have indicated problems and "frightening" experiences with boarding and deplaning in Thunder Bay, Victoria, Saskatoon and Regina. This serious problem of boarding and deplaning needs to be adequately addressed.

4.5 Availability of Service and Equipment

- b) Advance seat reservation for disabled persons would be a definite asset. Here again it would be important for travel agents to be aware of this option for the disabled. The factors of fatigue, bladder problems and use of mobility aids would make this reserved seat booking of benefit to the person with multiple sclerosis.
- d) The problem for some disabled people having difficulty removing baggage from the carousel has been identified by persons with MS. Fatigue, weakness or spasticity may decrease their efforts to remove baggage. It would be of benefit for carrier personnel to provide assistance in removing baggage from the carousel and conveying it to or from ground transportation curbside. It has also been mentioned that baggage handlers can be "short-tempered" in dealing with baggage, equipment and wheelchairs.

These problems seemed greater on short-distance travel rather than long-distance. Airport personnel seemed more prepared to deal with these extra duties on a long-distance flight. It also appears to relate to training of personnel as mentioned in 4.5 g).

Another difficulty experienced relates to electric wheelchairs and baggage handlers. A gel cell battery was treated like an acid battery. The terminals were taped and were difficult to untape on arrival. The baggage handlers and air carrier personnel experienced an awkward and difficult time reassembling the electric "amigo".

4.6 Limitations to Access

- c) Multiple sclerosis is a variable and unpredictable disease, as well, a number of the symptoms are not visible to other people such as fatigue, bladder and visual problems, and weakness. The person with multiple sclerosis well knows his limitations and potentials day to day. Travel assistance needs will vary as the disease varies. It is important a person with MS be presumed fit to travel unless he/she specifies otherwise. It currently appears a multi-model card would be of assistance to the disabled traveller and the CTC.

.../5

In summary, the problems and proposed standards outlined in the paper by Ms. Tait are comprehensive and well defined. If the proposed standards are recommended, a major step will be taken in providing services on aircraft to which disabled persons are entitled.

Thank you for the opportunity to comment on this very important area of aircraft accessibility. I look forward to learning of your final recommendations on a set of standards of accessibility.

Sincerely,

Beverley Brown

Beverley Brown
National Director of Patient Services

BB/dr

c.c. F.P. Doyle
A.M. Fraser

The Pas Branch

APPENDIX RR

MANITOBA LEAGUE of the PHYSICALLY HANDICAPPED

Box 3030

The Pas, Man. R9A 1M7

Ph. 623-2243

May 23, 1984

Hon Lloyd Axworthy
Minister of Transportation
House of Commons
Ottawa, Ontario

Dear Mr. Axworthy:

We certainly must compliment you for your dynamic speech at the MLPH Spring Conference, May 4 at the Holiday Inn in Winnipeg. Certainly all Manitobans should be proud of the fact that we have such a capable Member of Parliament representing not only Manitoba, but also all of western Canada.

Lloyd, in our travels by Pacific Western Airlines, we always encounter a major problem. I have wet cell batteries for my motorized wheelchair and because of restrictions, these cannot be transported by air. This causes much difficulty as I have to make arrangements at the landing sight for wet cell batteries.

My understanding is that Air Canada and C.P. Air do have special containers for transporting wet cell batteries. Why is it that regional airlines like Pacific Western do not have these available?

Sir, we would appreciate immediate positive action on this matter of grave import.

Thank you kindly for your concern and action.

Yours truly,



Michael Szadiak, Co-ordinator

A169

MS/pd
c.c. Rod Murphy



Ontario Association of the Deaf

FOUNDED 1886 — INCORPORATED 1963

883 Regan Place
Bay Ridges

Pickering, Ontario
L1W 1J8

March 28, 1984

Air Accessibility Standards
Office of The Hon. Lloyd Axworthy
Transport Canada
Ottawa, Ontario K1A 0N5

Attn: Mr. Ed Ratushny, Special Advisor

Sirs:

As Executive Secretary of the Ontario Association of the Deaf, an organization run entirely by volunteer deaf consumers, I wish to add the following comments in regard to your invitation to send our opinions on accessibility by disabled persons.

You may be aware that for deaf people, the most significant barriers or problems found is the lack of VISIBLE COMMUNICATION; like printed information regarding flight times, departures, arrivals, cancellations and delays which are presently shown on TV screens at terminals in a coded fashion not understood by most of the hearing impaired, who also cannot hear voice announcements clarifying the coded print-outs for hearing customers. Example:

"Flight 201 from New York delayed for 1/2 hr-
Please wait in lobby" or

"Flight 104 from Montreal is cancelled" with
instructions on how to proceed in complete sentences.

I personally am profoundly deaf and once I was given an interpreter by Quota International (a professional women's group honouring me as 'Deaf Woman of the Year') on a flight to Vancouver, B.C. I was amazed at the number of announcements made by the Captain and others which stimulated my enjoyment of the otherwise silent and lonely flight. It was especially silent

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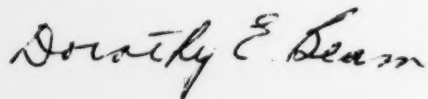
on that long trip to Japan in 1970. If you had visible announcements of points of interest, or require that one of your staff be able to use sign language just to inform deaf passengers of the highlights of the trip, that would be great for us. After all we pay full fare on such trips, no discounts for being deaf! Not that we want this, but we do want to know like everybody else what is going on. Your hearing passengers can use ear plugs for music or whatever and also hear and see a movie. There are captioned films available (see National Film Board and/or Canadian Captioning Developing Agency for information) which also have a voice track and printed words. This would be marvellous for deaf people like me to have visible communication during flight times.

There may be other barriers to communication accessibility that I am overlooking in regards to flights, however, what I have mentioned above, if resolved, would be a great step forward for deaf Canadians.

As for bus and rail lines, interpreters are needed on guided tours or scenic trips. A committee could be set up to study the issues involving the hearing impaired and resolve the problems in some way.

Perhaps we will hear from you?

Yours respectfully,



(Mrs) Dorothy E. Beam
Executive Secretary